

May 31, 2022

**VIA HAND DELIVERY**

Honorable Kenna M. DeRaimo  
Clerk of the West Virginia Environmental  
Quality Board  
601 57<sup>th</sup> Street SE  
Charleston, West Virginia 25304

RECEIVED

JUN 1 2022

Environmental Quality  
Board

RE: Notice Of Appeal Of "Order Issued Under Underground Storage Tank Act West Virginia Code, Chapter 22, Article 17 – Order No.: UST-22-005" – Issued On April 26, 2022

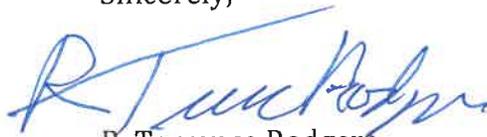
Dear Ms. DeRaimo:

On behalf of J. C. Baker & Son, Inc. and Baker Oil Company. and pursuant to West Virginia Code § 22-17-18 and West Virginia Code §§ 22B-1-1 *et seq.*, enclosed for filing with the West Virginia Environmental Quality Board, please find the original and six (6) copies of a *Notice Of Appeal* regarding a certain "Order Issued Under Underground Storage Tank Act W.Va. Code, Chapter 22, Article 17 – Order No.: UST-22-005," issued by Katheryn Emery, P.E., Director of the Division of Water and Waste Management, West Virginia Department of Environmental Protection, on April 26, 2022.

Also, please find an extra copy of this *Notice Of Appeal*. Please time and/or date stamp this copy and return it to me with the messenger who delivers this correspondence. Thank you in advance for doing so.

If you or any of your staff have any questions whatsoever about the *Notice Of Appeal*, you or they should not hesitate to call me at (304) 720-4217 or email me at [trodgers@kaycasto.com](mailto:trodgers@kaycasto.com).

Sincerely,

  
R. Terrance Rodgers

RTR/spw  
Enclosures



**VIA REGULAR U.S. MAIL**

cc: Katheryn Emery, P.E. (w/enclosure)

**VIA REGULAR U.S. MAIL**

cc: Office of Legal Services (w/enclosure)  
West Virginia Department of Environmental Protection

RECEIVED

JUN 1 2022

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA

Environmental Quality  
Board

J.C. BAKER & SON, INC.  
and BAKER OIL COMPANY,

Appellants,

v.

Appeal No. 22-03-EQB

KATHERYN EMERY, P.E., DIRECTOR,  
DIVISION OF WATER AND WASTE  
MANAGEMENT, DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,

Appellee.

**NOTICE OF APPEAL**

Action Complained Of: Appellants J.C. Baker & Son, Inc. (“J.C. Baker”) and Baker Oil Company (“Baker Oil”) (J.C. Baker and Baker Oil are collectively “Appellants”) respectfully represent that they are aggrieved by the attached *Order Issued Under The Underground Storage Act West Virginia Code Chapter 22, Article 17*, Order No. UST-22-005 (“*Order*”), issued by appellee Katheryn Emery, P.E., Director of the Division of Water and Waste Management of the West Virginia Department of Environmental Protection (“WVDEP”) (“Appellee”), on April 26, 2022 (Exhibit A).

Relief Requested: Appellants therefore pray that the *Order* be reviewed by the West Virginia Environmental Quality Board (“Board”) and that the Board grant the following relief: Reverse all provisions of the *Order* and determine that:

a. Neither J.C. Baker nor Baker Oil is, or was, at any relevant time, the owner or operator of, or otherwise liable for, any of those certain underground storage tanks (“UST”) within the meaning of state and/or federal law governing the USTs located at:

1. Linger’s service station site in Buckhannon (Leak No. 92-289-L49);
2. Paul’s service station site in Phillippi (Leak No. 92-306-L01);
3. Coastal Lumber Company site in Buckhannon (Leak No. 95-021);
4. Hamrick’s service station site in Webster Springs (Leak No. 93-034);
5. W.J. Prince’s service station site in Jane Lew (Leak No. 93-378);
6. Sample’s service station site in Procious (Leak No. 92-074-L08);
7. Steve White’s service station site in Gassaway (Leak No. 91-036-L04);
8. Coastal Lumber Company site in Hacker Valley (Leak No. 91-075-L51);
9. Clendenin service station site in Clendenin (Leak No. 91-008-L20);
10. Point C Mart located in Lewis County, WV (Leak No. 94-035);
11. Young’s service station site in Dille (Leak No. 94-066);
12. C. Adam Toney Discount Tires site in Summersville (Leak No. 94-056); and,

13. Glenville Sunoco site in Gilmer County, WV (Leak No. 17-034).<sup>1</sup>

b. Neither J. C. Baker nor Baker Oil is liable, or has any responsibility, for any releases/leaks identified in the *Order*, or any other releases related to the Identified USTs which are the subject of the *Order*, under any environmental or other law governing USTs.

c. Vacate the *Order*'s "Order For Compliance" in full; and

d. Vacate the *Order*'s "Other Provisions" in full.

Specific Objections: Appellants' specific objections to the *Order*, including questions of fact and law to be determined by the Board, are set forth in detail in the separate numbered paragraphs below:

a. Appellants object to the following Findings Of Fact, and such Conclusions Of Law as are based on said Findings Of Fact, in the *Order*:

1. Finding Of Fact No. 1 - that J. C. Baker and/or Baker Oil were found to be the owner/operator of the Identified USTs;

2. Finding Of Fact No. 1 – that J. C. Baker and/or Baker Oil were found to be the responsible party for confirmed releases at the facilities identified in the *Order*;

3. Finding Of Fact Nos. 2-132 – that J. C. Baker and/or Baker Oil were found to be the owner(s) of the Identified USTs; and

4. All factual findings in Finding Of Fact Nos. 1-132;

b. Appellants object to the Appellee's apparent conclusion that the actions taken by Appellants in efforts to be good corporate citizens by their previous willingness

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<sup>1</sup> The USTs which are or were located on the thirteen (13) sites identified above will collectively be referred to as "Identified USTs."

to address certain issues regarding the registration of the Identified USTs conferred ownership of, and/or responsibility for, the Identified USTs on Appellants;

c. Appellants object to the Appellee's apparent conclusion that the actions taken by Appellants in efforts to be good corporate citizens by their previous willingness to address certain issues regarding leaks from the Identified USTs conferred ownership of, and/or responsibility for, the Identified USTs on Appellants;

d. Appellants object to all grounds on which the Appellee apparently relies in concluding that Appellants owned, or is otherwise responsible for, any of the Identified USTs;

e. Appellants object to the complete failure of the Appellee to address the facts and points recited in Exhibit B attached hereto, an email from Appellants, dated February 24, 2022, with attachments, said email and attachments demonstrating that Appellants only delivered product to the sites referenced in the *Order*, and did not own or operate, and are not otherwise responsible for, the Identified USTs to which the product was delivered; included in said email and attachments is evidence of Appellee's failure to proceed against the entities who did own and/or operate and/or who are otherwise responsible for the Identified USTs as revealed in, or whose identities could be ascertained from information in, the invoices and ledger sheets supplied by Appellants in Exhibit B;

f. Appellants object to the complete failure of the Cabinet Secretary of the WVDEP to address the facts, points and law recited in Exhibit C attached hereto, Appellants' notice of request for reconsideration of the *Order*, dated May 3, 2022, with attachments, said notice and attachments demonstrating that Appellants only delivered

product to the sites referenced in the *Order*, and did not own or operate, and are not otherwise responsible for, the Identified USTs to which the product was delivered; included in said notice and attachments is evidence of Appellee's failure to proceed against the entities who did own and operate and/or who are otherwise responsible for the Identified USTs as revealed in, or whose identities could be ascertained from information in, the invoices and ledger sheets supplied by Appellants in Exhibit C;

g. Appellants object to any conclusion in the *Order* that any contamination at Paul's service station site in Phillippi (Leak No. 92-306-L01) emanated from the Identified USTs at that site for which Appellee has concluded one of the Appellants is responsible, given that:

i. there have been one or more service stations operating at this site since circa 1940s (well before the 1976, 1984 and 1985 installations of USTs by Baker Oil), the USTs for any one of which could have been responsible for any contamination;

ii. in 1991, the West Virginia Division of Highways ("WVDOH") released over 2000 gallons of diesel fuel that directly impacted this site and the WVDOH undertook no clean-up measures to correct such contamination of this site;

iii. there no credible evidence that any leak came from any of the Identified USTs which Appellee claims was installed and/or owned by Baker Oil;

h. Appellants object to any conclusion in the *Order* that there is any leak and/or other problems requiring remediation at the Glenville Sunoco site in Gilmer County and further object on the grounds that the Glenville Sunoco site in Gilmer County was not

discussed at the January 22, 2022 meeting, nor was it mentioned in the WVDEP's January 25, 2022 email to Appellants.

i. Appellants further object to the *Order* on the grounds there is no credible evidence that any of the contamination on the sites listed above came from any of the Identified USTs for which the Appellee wrongfully attributes ownership, or other grounds supporting responsibility, to Appellants inasmuch as gas stations operated on most, if not all, of the sites for decades before the identified leaks and, furthermore, on many, if not all, of the sites, USTs had been replaced over the years, such that there is no evidence that any of the Identified USTs for which Appellee wrongfully attributes ownership, or other grounds supporting responsibility, to Appellants were the ones which leaked, causing the contamination.

Appellants deny they have any responsibility for the leaks recited in the *Order* on any grounds or under any theory of law.

Appellants request that, pursuant to 46 CSR §§ 4-5.6, 4-6.1, and 4-6.9, the Board: (1) establish a discovery schedule; (2) schedule an evidentiary hearing for a date after conclusion of discovery; and (3) establish a post-evidentiary briefing schedule.

Amendment of this *Notice Of Appeal* may be had only by leave of the Board, and only for good cause shown.

Dated this 31st day of May, 2022.

J.C. BAKER & SON, INC. and  
BAKER OIL COMPANY,

Appellants,

BY COUNSEL:

A handwritten signature in blue ink, appearing to read "R. Terrance Rodgers", is written over a horizontal line.

R. TERRANCE RODGERS (WVSB #3148)  
KAY CASTO & CHANEY PLLC  
P. O. Box 2031  
Charleston, West Virginia 25327  
(304) 720-4217 Telephone  
(304) 345-8900 Fax  
[trodgers@kaycasto.com](mailto:trodgers@kaycasto.com)

# **Exhibit A**



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west virginia department of environmental protection

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Division of Water and Waste Management  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304-926-0470 Fax: 304-926-0488

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

April 26, 2022

J. C. Baker & Son, Inc.  
601 Elk Street  
Gassaway, WV 26624

**CERTIFIED RETURN RECEIPT REQUESTED**  
9489 0090 0027 6402 6081 23

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**WV IDENTIFICATION NOs.: 4905543, 0100014,  
4905541, 5105713, 2102658, 0800440, 0407923, 5105709,  
2006691, 2102661, 3404188, 3405499, and 1108011**

And

Baker Oil Company  
P. O. Box 369  
Gassaway, WV 26624

Mr. Baker:

Enclosed is Order No. UST-22-005. This Order is issued to J. C. Baker & Son, Inc. and Baker Oil Company by the director of the Division of Water and Waste Management under the authority of Chapter 22, Article 17, Section 15 of the Code of West Virginia. This Order contains notification of the right of appeal under the provisions of Chapter 22, Article 17, Section 18.

  
Jeremy W. Bandy  
Chief Inspector

cc: Katheryn Emery, P.E., Director, DWWM (e-mail)  
Scott G. Mandirola, Deputy Secretary for External Affairs, WVDEP (e-mail)  
Harold D. Ward, Cabinet Secretary, WVDEP (e-mail)  
Joseph Sizemore, Assistant Chief Inspector, EE/HW, Tanks (e-mail)  
David C. Simmons, Assistant Chief Inspector, EE (e-mail)  
Laura McGee, Environmental Resources Program Manager, EE (e-mail)  
Cindy Blugerman, Environmental Resources Specialist, EE (e-mail)  
Amaris Elliott, Environmental Resources Associate, EE (e-mail)  
Ruth M. Porter, Program Manager, EE/Tanks (e-mail)  
Melissa McCune, Program Manager, EE/Tanks Corrective Action (e-mail)  
Randal Lemons, Environmental Resources Analyst, EE/Tanks Corrective Action (e-mail)  
Andrew Dinsmore, US EPA, Region III (e-mail)



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west virginia department of environmental protection

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Division of Water and Waste Management  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304-926-0470 Fax: 304-926-0488

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

**ORDER  
ISSUED UNDER THE  
UNDERGROUND STORAGE TANK ACT  
WEST VIRGINIA CODE, CHAPTER 22, ARTICLE 17**

TO: J. C. Baker & Son, Inc.  
601 Elk Street  
Gassaway, WV 26624

DATE: April 26, 2022

ORDER NO.: UST-22-005

And

Baker Oil Company  
P.O. Box 369  
Gassaway, WV 26624

**INTRODUCTION**

The following findings are made and Order issued to J. C. Baker & Son, Inc. and Baker Oil Company (hereinafter "Baker") pursuant to the authority vested in the Director of the Division of Water and Waste Management under Chapter 22, Article 17, Section 1 et seq. of the Code of West Virginia.

**FINDINGS OF FACT**

In support of this Order, the Director hereby finds the following:

1. As the owner and/or operator of Underground Storage Tanks (USTs) at the time of releases from the USTs, Baker is the responsible party for confirmed releases at the following thirteen (13) facilities. The USTs at these sites are permanently out of service (POS) and were removed by Baker.
  - a. Linger's Service Station located in Upshur County, WV was issued Leak No. 92-289-L49 on December 14, 1992. The Facility ID is 4905543.
  - b. Paul's Service Station located in Barbour County, WV was issued Leak No. 92-306-L01 on December 12, 1992. The Facility ID is 0100014.
  - c. Coastal Lumber Company located in Upshur County, WV was issued Leak No. 95-021 on February 7, 1995. The Facility ID is 4905541.

- d. Hamrick Service Station located in Webster County, WV was issued Leak No. 93-034 on February 5, 1993. The Facility ID is 5105713.
- e. W. J. Princes Store located in Lewis County, WV was issued Leak No. 93-378 on December 8, 1993. The Facility ID is 2102658.
- f. Sample's Service Station located in Clay County, WV was issued Leak No. 92-074-L08 on April 7, 1992. The Facility ID is 0800440.
- g. Steve White Service Station located in Braxton County, WV was issued Leak No. 91-036-L04 on June 17, 1991. The Facility ID is 0407923.
- h. Coastal Lumber Company located in Webster County, WV was issued Leak No. 91-075-L51 on August 20, 1991. The Facility ID is 5105709.
- i. Clendenin Service Station located in Kanawha County, WV was issued Leak No. 91-008-L20 on February 28, 1991. The Facility ID is 2006691.
- j. Point C Mart located in Lewis County, WV was issued Leak No. 94-035 on March 1, 1994. The Facility ID is 2102661.
- k. Young's Service Station located in Nicholas County, WV was issued Leak No. 94-066 on April 13, 1994. The Facility ID is 3404188.
- l. C Adam Toney Tire located in Nicholas County, WV was issued Leak No. 94-056 on March 30, 1994. The Facility ID is 3405499.
- m. Glenville Sunoco located in Gilmer County, WV was issued Leak No. 17-034 on October 11, 2017. The Facility ID is 1108011.

**Leak No. 92-289-L49-Linger's Service Station**

2. An April 1, 1986 UST notification form shows the USTs as currently in use (CIU) and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
3. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification from was signed by Michael C. Baker.
4. On December 14, 1992, West Virginia Department of Environmental Protection (WVDEP) personnel were notified of a release at Linger's Service Station. In response to the release, WVDEP issued a Confirmed Release Notice to Comply (CRNC) to Baker, which assigned Leak No. 92-289-L49 to the release and required that a Site Assessment be performed.
5. A March 10, 1993 UST notification shows the USTs as permanently out of service (POS) and the UST owner as Baker Oil Company. The notification was signed by Michael C. Baker.
6. On April 27, 1995, Order USTA-193-94 became effective. The Order required Baker, as the owner of the USTs, to implement corrective action in accordance with Code of Federal Regulations 40CFR280.
7. On February 11, 2008, WVDEP sent a Review of Confirmed Release (RCR) to Baker, which required submittal of a Corrective Action Plan (CAP) on or before April 15, 2008. Baker failed to submit the CAP.

8. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
9. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental Site Assessment Report on or before September 30, 2016. Baker failed to submit the SSAR.
10. On April 12, 2018, WVDEP sent an RCR to Baker, which required submittal of a Supplemental Site Assessment by June 11, 2018. Baker failed to submit the required report.
11. On March 26, 2019, WVDEP sent an RCR to Baker, which required the submittal of a Site Assessment Work Plan (SAWP) by April 26, 2019. Baker failed to submit the SAWP.
12. On May 3, 2019, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, Notice of Violation (NOV) No. 2019-01452 was issued to Baker.

13. On June 4, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, Inspection of Violation (IOV) No. 2019-01452 was issued to Baker.

**Leak No. 92-306-L01 Paul's Service Station**

14. An April 25, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
15. On December 12, 1992, WVDEP personnel were notified of a release at Paul's Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 92-306-L01 to the release and required that a Site Assessment be performed.
16. A February 5, 1993 UST notification form shows the USTs as POS and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
17. On June 8, 2011, WVDEP sent an RCR to Baker, which required submittal of a CAP on or before August 30, 2011. Baker failed to submit the CAP

18. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
19. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of an SAR and CAP on or before December 31, 2016. Baker failed to submit the SAR or CAP.
20. On March 26, 2019, WVDEP sent an RCR to Baker, which required submittal of a SAWP by April 26, 2019. Baker failed to submit the SAWP.
21. On May 3, 2019, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV, No. 2019-01449 was issued to Baker.

22. On June 4, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR 280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, IOV No. 2019-01449 was issued to Baker.

**Leak No. 95-021 Coastal Lumber Company: Buckhannon**

23. A May 1, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
24. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
25. On May 6, 1992 and August 11, 1992, WVDEP personnel received UST closure requests.
26. On February 7, 1995, WVDEP personnel were notified of a release at Coastal Lumber Company. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 95-021 to the release and required that a Site Assessment be performed.
27. On June 8, 2011, WVDEP sent an RCR to Baker, which required submittal of a CAP on or before August 30, 2011. Baker failed to submit the CAP.
28. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.

29. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of an SAR on or before December 31, 2016. Baker failed to submit the SAR.
30. On March 12, 2018, WVDEP sent an RCR to Baker, which required the submittal of a Supplemental SAR by May 11, 2018. Baker failed to submit the Supplemental SAR.
31. On May 17, 2018, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.34 - Baker failed to cooperate with requests for document submission, testing, and/or monitoring.

As a result of this violation, NOV No. 1805-3400 was issued to Baker.

32. On January 31, 2019, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR 280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2019-00483 was issued to Baker.

33. On March 26, 2019; May 3, 2019; and June 4, 2021; WVDEP personnel reviewed the facility file. During the reviews, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, IOV No. 2019-00483 was issued to Baker.

**Leak No. 93-034 Hamrick Service Station**

34. An April 23, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
35. On February 11, 1993, WVDEP personnel were notified of a release at Hamrick Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 93-034 to the release and required that a Site Assessment be performed.
36. An April 30, 1993 UST notification form shows the USTs as POS and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
37. On March 24 1997, a consent order issued to Baker Oil Company by the Environmental Protection Agency became effective. The consent order identifies Baker Oil Company as the respondent and responsible for applicable UST compliance activities.

38. On April 21, 2008, WVDEP sent an RCR to Baker, which required submittal of a Groundwater Monitoring Report (GMR) on or before May 21, 2008. Baker failed to submit the GMR.
39. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
40. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a SAR on or before June 30, 2016. Baker failed to submit the SAR.
41. On August 8, 2018, WVDEP sent an RCR to Baker, which required the submittal of an Initial Site Characterization Report (ISCR) by October 2, 2018. Baker failed to submit the ISCR.
42. On November 11, 2018, WVDEP personnel reviewed the facility file. During the review, the following violations of the Code of Federal Regulations were observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).
  - b. 40CFR280.63(b) - Baker failed to submit a report on initial site characterization that met the minimum requirements of 280.63(a)(1) through 280.63(a)(4).

As a result of these violations, NOV Nos. 1811-3808 and 1811-3809 were issued to Baker.

43. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Subsequently, Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. However, Baker failed to submit the required report.
44. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site and the surrounding area possibly affected by the release as per requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, IOV No. 2018-00094 was issued to Baker.

**Leak No. 93-378 W J Prince's Store**

45. An April 21, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
46. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU

and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.

47. On December 8, 1993, WVDEP personnel were notified of a release at W J Prince's Store. In response to the release, WVDEP issued a CRNC, which assigned Leak No. 93-378 to the release and required that a Site Assessment be performed.
48. A February 2, 1994 UST notification form shows the USTs as POS and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
49. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
50. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of an SAR on or before December 31, 2016. Baker failed to submit the SAR.
51. On March 26, 2019, WVDEP sent an RCR to Baker, which required submittal of a SAWP by April 26, 2019. Baker failed to submit the SAWP.
52. On May 3, 2019, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2019-01450 was issued to Baker.

53. On June 4, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, IOV No. 2019-01450 was issued to Baker.

**Leak No. 92-074-L08-Sample's Service Station**

54. An April 17, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
55. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
56. On April 7, 1992, WVDEP personnel were notified of a release at Sample's Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 92-074-L08 to the release and required that a Site Assessment be performed.

57. A May 5, 1992 UST notification form shows the USTs as POS and the UST owner as J.C. Baker & Son, Inc. The notification form was signed by Michael C. Baker.
58. On October 24, 2002, WVDEP sent an RCR to Baker, which required submittal of an SAR on or before December 23, 2002. Baker failed to submit the SAR.
59. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
60. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental SAR on or before June 30, 2016. Baker failed to submit the SAR.
61. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report (SIR) by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
62. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV, No. 2021-01437 was issued to Baker.

**Leak No. 91-036-L04 -Steve White Service Station**

63. On June 17, 1991, WVDEP personnel were notified of a release at Steve White Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 91-036-L04 to the release and required that Tank Closure and Site Assessment be performed.
64. On November 19, 1991, WVDEP issued Order No. USTA-116-91, which required that Baker pay past due fees and submit a Closure Report and SAR on or before January 18, 1992. Baker subsequently submitted the required documents.
65. A March 15, 1992 UST notification form shows the USTs as POS and the UST owner as J.C. Baker & Son, Inc. The notification form was signed by Michael C. Baker.
66. On March 31, 1992, WVDEP sent an RCR to Baker, which required an additional SAR on or before May 29, 1992. Baker failed to submit the additional SAR.
67. On October 17, 2013, WVDEP responded to Baker's plan to move forward systematically in regard to the remaining leaking UST sites and required submittal of a full site investigation by March 31, 2014.
68. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.

69. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of Supplemental SAR on or before December 31, 2016. Baker failed to submit the SAR.
70. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
71. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2021-01436 was issued to Baker.

**Leak No. 91-075-L51-Coastal Lumber Company; Hackers Valley**

72. An April 15, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
73. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
74. On August 20, 1991, WVDEP personnel were notified of a release at Coastal Lumber Company. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 91-075-L51 to the release and required that a Site Assessment be performed.
75. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
76. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental SAR on or before March 31, 2016. Baker failed to submit the SAR.
77. On August 3, 2018, WVDEP sent an RCR to Baker, which required the submittal of an ISCR by October 2, 2018. Baker failed to submit the ISCR.
78. On November 14, 2018, WVDEP personnel reviewed the facility file. During the review, the following violations of the Code of Federal Regulations were observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).
  - b. 40CFR280.63(b) - Baker failed to submit a report on initial site characterization that met the minimum requirements of 280.63(a)(1) through 280.63(a)(4).

As a result of these violations, NOV Nos. 1811-3806 and 1811-3807 were issued to Baker.

79. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
80. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2018-00095 was issued to Baker.

**Leak No. 91-008-L20-Clendenin Service Station**

81. A June 9, 1989 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Mike Baker.
82. On February 28, 1991, WVDEP personnel were notified of a release at Clendenin Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 91-008-L20 to the release and required that a Site Assessment be performed.
83. On October 24, 2002, WVDEP sent an RCR to Baker, which required submittal of an SAR on or before December 23, 2002. Baker failed to submit the report.
84. On March 26, 2003, WVDEP sent a Notice of Non-Compliance for failure to submit the SAR. The Notice required submittal of the report on or before April 25, 2003. Baker failed to submit the report.
85. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
86. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental SAR on or before December 31, 2015. Baker failed to submit the SAR.
87. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of an SIR by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
88. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2021-01172 was issued to Baker.

**Leak No. 94-035, Point C Mart**

89. An April 10, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
90. On March 1, 1994, WVDEP personnel were notified of a release at Point C Mart. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 94-035 to the release and required that a Site Assessment be performed.
100. An August 11, 1995 UST notification form shows the USTs as POS and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
101. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
102. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of Free Product Recovery, Site Assessment, and submittal of an SAR on or before December 31, 2015. Baker failed to submit the SAR.
103. On May 17, 2018, WVDEP sent an RCR to Baker, which required the submittal of a Supplemental SAR by July 16, 2018. Baker failed to submit the Supplemental SAR.
104. On January 31, 2019 and March 15, 2019, WVDEP personnel reviewed the facility file. During the reviews, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2019-00484 was issued to Baker.

105. On April 26, 2019, WVDEP personnel received an SAR for the site. As a result, IOV No. 2019-00484 was issued to Baker, which abated NOV No. 2019-00484.
106. On May 2, 2019, WVDEP sent an RCR to Baker, which required submittal of a GMR and/or a CAP by July 26, 2019. Baker failed to submit the required report or CAP.
107. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
108. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:

- a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2019-00484 was issued to Baker.

**Leak No. 94-066-Young's Service Station**

109. An April 12, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
110. An April 10, 1987 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
111. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
112. An October 25, 1991 UST notification form shows the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
113. On April 13, 1994, WVDEP personnel were notified of a release at Young's Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 94-066 to the release and required that a Site Assessment be performed.
114. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension
115. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental SAR on or before March 31, 2016. Baker failed to submit the SAR.
116. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
117. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2021-01438 was issued to Baker.

**Leak No. 94-056-C Adam Toney Tire**

118. A June 28, 1993 UST notification form shows two (2) USTs as CIU and one (1) UST as POS and the UST owner as J.C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.

119. On March 30, 1994, WVDEP personnel were notified of a release at C Adam Toney Tire. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 94-056 to the release and required that a Site Assessment be performed.
120. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
121. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of Groundwater Monitoring and submittal of a GMR on or before June 30, 2016. Baker did submit the GMR.
122. On October 22, 2020, WVDEP sent an RCR to Baker, which required submittal of a GMR by November 30, 2020. Baker replied that the site had been transferred to Go-Mart but did not provide documentation of the transfer.
123. On June 2, 2021 and September 22, 2021, WVDEP personnel reviewed the facility file. During the reviews, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2021-00871 was issued to Baker.

**Leak No. 17-034- Glenville Sunoco**

124. A December 2, 1991 UST notification form shows seven (7) USTs as CIU and the UST owner as J.C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
125. On October 11, 2017, WVDEP personnel were notified of a release at Glenville Sunoco. In response to the release, WVDEP issued a CRNC to J C Baker & Sons, which assigned Leak No. 17-034 to the release and required that a Site Assessment be performed.
126. On May 21, 2018, WVDEP personnel reviewed the facility file and determined that two (2) extensions had been granted to Baker to perform the Site Assessment, which had not been completed. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 1805-3601 was issued to Baker.

127. On November 2, 2018, Baker submitted a Site Assessment Report.
128. On February 28, 2019, WVDEP sent an RCR to Baker, which required submittal of an additional Supplemental SIR by April 15, 2019. Baker submitted the Supplemental SIR on September 9, 2019.

129. On September 20, 2019, WVDEP sent an RCR to Baker, which required quarterly monitoring at the site. Subsequent quarterly monitoring reports were received on December 9, 2019; February 10, 2020; May 29, 2020; and September 8, 2020.
130. An August 20, 2020 UST closure authorization was issued to J C Baker & Son, Inc. to permanently close four (4) USTs at the site
131. On December 20, 2021, WVDEP sent an RCR to Baker, which required submittal of an additional Supplemental SIR by April 1, 2022.
132. On January 20, 2022, a meeting was held between WVDEP and Baker. During the meeting, Baker representatives stated that Baker was not responsible for remediation at twelve (12) of the thirteen (13) leak sites, because it was not and had never been the owner and/or operator of the USTs. Furthermore, the representatives stated that Baker had registered the USTs only to comply with initial UST registration requirements and to gain access to the properties. In response, WVDEP stated that, based upon an extensive review of the files, Baker was the owner of the USTs and is the responsible party for each of the thirteen (13) releases.
133. On January 25, 2022, WVDEP sent an email to Baker, which summarized the aforementioned January 20, 2022 meeting and requested that Baker provide a Plan of Corrective Action (POCA) to address the open leak sites.
134. On February 24, 2022, Baker's representative responded to WVDEP via email indicating that the USTs had been registered in an effort to be a good corporate citizen, and Baker did not register the USTs because it was the owner or operator.

### **ORDER FOR COMPLIANCE**

And now, this day of April 26, 2022, Baker is hereby ORDERED by the Director as follows:

1. Baker shall immediately take measures to initiate compliance with all pertinent laws and rules.
2. Within thirty (30) days of the effective date of this Order, Baker shall submit for approval a proposed plan of corrective action and schedule, outlining action items and completion dates for remedial activities on how and when Baker will achieve compliance with all pertinent laws and rules. The plan of corrective action shall make reference to WV Leak ID Nos. 92-289-L49, 92-306-L01, 95-021, 93-034, 93-378, 92-074-L08, 91-036-L04, 91-075-L51, 91-008-L20, 94-035, 94-066, 94-056, and 17-034, and Order No. UST-22-005. The plan of corrective action shall be submitted to:

**Chief Inspector  
Environmental Enforcement - Mail Code #031328  
WVDEP  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304**

Upon approval, the plan of corrective action and schedule shall be incorporated into and become part of this Order, as if fully set forth herein. Failure to submit an approvable plan of corrective action and schedule or failure to adhere to the approved schedule is a violation of this Order.

#### **OTHER PROVISIONS**

1. Compliance with the terms and conditions of this Order shall not in any way be construed as relieving Baker of the obligation to comply with any applicable law, permit, other order, or any other requirement otherwise applicable. Violations of the terms and conditions of this Order may subject Baker to additional enforcement action in accordance with the applicable law.
2. The provisions of this Order are severable and should a court or board of competent jurisdiction declare any provisions to be invalid or unenforceable, all other provisions shall remain in full force and effect.
3. This Order is binding on Baker, its successors and assigns.
4. This Order shall terminate upon Baker's notification of full compliance with the "Order for Compliance" and verification of this notification by WVDEP.

#### **RIGHT OF APPEAL**

Notice is hereby given of your right to appeal the terms and conditions of this Order which you are aggrieved to the Environmental Quality Board by filing a NOTICE of APPEAL on the form prescribed by such Board, in accordance with the provisions of Chapter 22, Article 17, Section 18 of the Code of West Virginia within thirty (30) days after receipt of this Order.

This Order shall become effective upon receipt.



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**Katheryn Emery, P.E., Director**  
**Division of Water and Waste Management**

# **Exhibit B**

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**From:** MICHAEL BAKER <michaelcbaker@hotmail.com>  
**Sent:** Thursday, February 24, 2022 2:54 PM  
**To:** joe.m.sizemore@wv.gov  
**Subject:** Response to January 25th, 2022 email  
**Attachments:** Letter from Michael C. Baker-J.C. Baker Son, Inc. to 'Customer' - dated 04-10-86 (01619648xA377B).pdf; 01-31-94 and 08-21-96 Letters (01685329xA377B) (1).pdf; Invoices (8) Customers (01684530xA377B).pdf; Ledger Sheets (11 sites) (01685066xA377B).pdf

**Follow Up Flag:** Copied to Worldox (Main Docs\0126405\000055\01685984.MSG)

[Caution, External Email]  
Mr. Sizemore,

In your January 25, 2022 email to me below, you asked that I provide a response, on behalf of J.C. Baker & Son, Inc. ("Baker"), to the West Virginia Department of Environmental Protection's ("WVDEP") concerns with regard to the following 12 sites:

1. Linger's service station site in Buckhannon (Leak No. 92-289-L49);
2. Paul's service station site in Philippi (Leak No. 92-306-L01);
3. Coastal Lumber Company site in Buckhannon (Leak No. 95-021);
4. Hamrick's service station site in Webster Springs (Leak No. 93-034);
5. W.J. Prince's service station site in Jane Lew (Leak No. 93-378);
6. Sample's service station site in Prociuous (Leak No. 92-074-L08);
7. Steve White's service station site in Gassaway (Leak No. 91-036-L04);
8. Coastal Lumber Company site in Hacker Valley (Leak No. 91-075-L51);
9. Clendenin service station site in Clendenin (Leak No. 91-008-L20);
10. Young's service station site in Dille (Leak No. 94-066);
11. C. Adam Toney Discount Tires site in Summersville (Leak No. 94-056); and
12. Point C Mart site in Weston (Leak No. 94-035).

First, as I have informed the WVDEP previously, Baker registered the underground storage tanks located at 11 of the 12 sites because the individuals and/or entities who truly were required to do so, failed to do so. Baker registered those underground storage tanks in an effort to be a good corporate citizen. Attached please find my April 10, 1986 letter which was sent to the individuals or entities who should have been registering the underground storage tanks located at those 11 sites. As I believe I have told the WVDEP before, none of those individuals or entities responded to that letter and, thus, Baker, in an effort to comply with the new federal law mentioned in that letter, registered the underground storage tanks located at those 11 sites. Baker did not register those underground storage tanks because it was either the "owner" or "operator" of them. Instead, it did so because the regulatory authorities wanted anyone who was aware of any underground storage tanks to register them, even if not the "owner" or "operator" of those underground storage tanks. To be clear, by registering the underground storage tanks located at those 11 sites, Baker never intended to represent that it was either the "owner" or "operator" of them.

There is one site – the Paul's service station site in Philippi – for which Baker may have been the "owner" but certainly not the "operator" of the underground storage tanks located at that site. However, even though Baker removed the underground storage tanks it installed at that site, it contested that it was

responsible for clean-up or monitoring at that site. As evidence of the same, attached please find a copy of my January 31, 1994 letter to Art Loder, of the WVDEP, and Ron Howe's August 21, 1996 letter to Don Martin, of the WVDEP. As you can see, Baker specifically requested that the WVDEP provide a written statement as to why Baker was somehow responsible for the Paul's service station site in Philippi, especially in light of the fact that there are numerous other more likely sources of whatever contamination there may be, including the West Virginia Department of Highways release. No such written statement was ever forthcoming from the WVDEP.

Second, just because Baker had the underground storage tanks and contaminated soil at 11 of the 12 sites removed in the 1990s, does not mean that Baker somehow became the "owner" or "operator" of those underground storage tanks (Coastal Lumber Company removed the underground storage tanks at the site located in Hacker Valley in Webster County). Instead, what that means is that Baker was trying to be a good corporate citizen.

Third, the fact that Baker has continued to try to be responsive to the WVDEP after the removal of underground storage tanks and the removal of contaminated soil in the 1990s, does not somehow make Baker the "owner" or "operator" of the underground storage tanks at the 12 sites (except maybe the Paul's service station site in Philippi). Once again, all Baker was trying to do was be a good corporate citizen.

Fourth, at this time, Baker simply does not have the resources to continue to be the good corporate citizen it has been previously regarding the underground storage tanks at the 12 sites. As I have mentioned before, the WVDEP simply needs to look to the individuals or entities who were the actual "owners" and/or "operators" of the underground storage tanks at 11 of those 12 sites. Also, as to the Paul's service station site in Philippi, because the WVDEP has never responded to what Baker pointed out to the WVDEP in the mid-1990s about Baker not being responsible for that site, the WVDEP needs to look to the individuals or entities who actually owned and/or operated the Paul's service station site in Philippi, as well as the West Virginia Department of Highways (as effectively suggested in my January 31, 1994 letter to Art Loder and Ron Howe's August 21, 1996 letter to Don Martin). As evidence of who those individuals and/or entities are, attached please find a copy of certain Baker invoices and a copy of certain Baker ledger sheets. There are invoices for 8 of the 12 sites and the ledger sheets for 11 of the 12 sites.

Fifth, as the attached invoices and ledger sheets show, Baker's only connection to the underground storage tanks at the 12 sites (except maybe the Paul's service station site in Philippi), was that it delivered petroleum products to the "owner" and/or "operator" of the underground storage tanks at those sites. Once delivered by Baker, that petroleum product became the property of the individual or entity listed on the attached invoices and ledger sheets (including the individual or entity who actually owned or operated the Paul's service station site in Philippi).

As stated above and as I told you when we met, Baker simply does not have the resources to be the good corporate citizen it has been for the last 30 years or so. To be clear, Baker never was the "owner" or "operator" of the underground storage tanks located at 11 of the 12 sites and, accordingly, it was not and is not responsible for clean-up or monitoring at any of those sites. Moreover, even if Baker was the "owner" or "operator" of the underground storage tanks at the Paul's service station site in Philippi, the WVDEP's lack of response to my January 31, 1994 letter to Art Loder, of the WVDEP, as well as its total lack of response to Ron Howe's August 21, 1996 letter to Don Martin, clearly means that the WVDEP does not have any real basis for even trying to claim that Baker is responsible for the Paul's service station site in Philippi. If, for some reason, you and/or somebody else at WVDEP disagrees, please let me know the basis of that disagreement.

Michael C. Baker

President  
J.C. Baker & Son, Inc. \_

John C. Baker  
John Paul Baker  
Gen. C. Baker

**J. C. Baker and Sons, Inc.**  
Wholesale Distributors of  
Gasoline, Oil, Tires, and Batteries  
Cassaway, West Virginia 26524

Phones:  
Cassaway 384-5114  
Summersville 872-1759

April 10, 1986

Dear Customer:

A new Federal law directs the Environmental Protection Agency (EPA) to develop a comprehensive regulatory program for underground storage tanks. As part of the new law, owners of certain underground tanks used to store petroleum or hazardous substances must notify designated state or local agencies of the existence of their tanks by May 8, 1986. This requirement applies to owners of tanks currently used to store such substances and owners of tanks taken out of operation after January 1, 1974, but still remaining in the ground. Owners who bring tanks into use after May 8, 1986, must notify the appropriate state or local agency within 30 days.

The purpose of this required notification program is to assist EPA and the States in locating and evaluating underground storage tanks. EPA's regulations concerning owners of the underground storage tanks are enclosed.

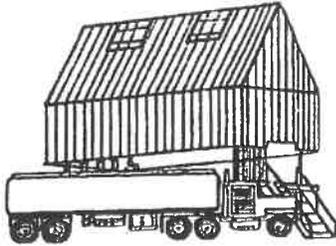
Please take the time to complete these notifications and send them to me no later than April 24, 1986.

Sincerely,

*Michael C. Baker*  
Michael C. Baker

MCB/sf

Enc.



## Baker Oil Company

Terminalling of Petroleum Products

Main Office - P. O. Box 369

Cassatony, West Virginia 26624

Phones:

Montgomery (304) 442-2438

Cassatony (304) 364-5114

Cassatony 1-800-268-5114

Fax 304-364-8881

January 31, 1994

Mr. Art Loder  
West Virginia Division of Environmental Protection  
UST Section  
1304 Goose Run Road  
Fairmont, West Virginia 26554

Re: Paul's Service Center, Rt. 1, Box 66, Philippi, WV  
WV ID# 0100014, Leak ID# 92-306-L01.

Dear Mr. Loder:

In 1976 I installed three (3) underground storage tanks at the above referenced facility. I later installed two (2) more underground storage tanks for diesel and kerosene in 1984 and 1985. On January 13, 1994, the West Virginia Division of Environmental Protection forwarded the enclosed letter requesting that I prepare a corrective action plan for responding to contaminated soil at the site. The purpose of this letter is to request some clarification from the Division of Environmental Protection concerning the factual and legal basis for requesting a corrective action plan.

By way of background, the site has been used as a gasoline dispensing facility for approximately fifty (50) years. From the late 1950's through the early 1970's, the site was a branded Texaco outlet supplied by a Texaco distributor based in Elkins. Previous to that, the site was supplied by various different suppliers.

While I have complied with the Division of Environmental Protection's request for initial abatement and initial site characterization at the site, it does not appear now, nor has it ever, that the contamination existing at the site is derived from USTs that I owned or operated. There has been motor fuel storage and dispensing from the site since circa 1940. A number of USTs have been installed and replaced during this period. In short, the contamination currently existing at the site could have resulted from any one or more of a number of sources, including spills, overfills, and leaking underground storage tanks over a period of fifty years.

(2)

In 1991 there was a release by the West Virginia Department of Highways of 2000 gallons of diesel fuel that directly impacted the site. No clean-up measures were taken at the site. I am aware of nothing to indicate that the USTs that I installed and later removed caused the contamination at the site.

As far as I am aware, there has been no formal determination by the Division of Environmental Protection that any of the contamination currently existing at the site emanated from the USTs that I installed. Your letter of January 13, 1994 contains no such determination and correspondingly, sets forth no grounds upon which you have concluded that I am a "responsible party" under any federal or state statute or regulation. Nor is there any indication in your letter that I have violated any state or federal law. It is primarily for this reason that I seek some clarification of the factual and legal basis for your request that I prepare a correction action plan.

Please note in this regard that if I am, in fact, responsible for the contamination existing at the site, I will make every effort to comply within my responsibilities under the law, whether they relate to investigation or remediation. My difficulty with your letter of January 13, 1994, lies not in my unwillingness to comply with my responsibilities, but with an honest disagreement as to whether I am in fact responsible.

The site still has underground storage tanks abandoned by previous operators or suppliers. These USTs may contain product to this day that is leaching out slowly into the ground at the site. As far as I am aware, the Division of Environmental Protection has not addressed the issue of these abandoned USTs or the consequences of the contamination they may be causing.

I would greatly appreciate it, therefore, if you would provide me with a statement of whether the Division of Environmental Protection has determined that I am responsible for cleaning up the site, and if so, an explicit statement of the grounds upon which you contend the existing contamination emanated from the USTs that I installed. Upon receiving this information, I will provide you with a prompt response concerning my future course of action; that is, whether I will enter into an agreed order for cleaning up the site or file a contested case petition.

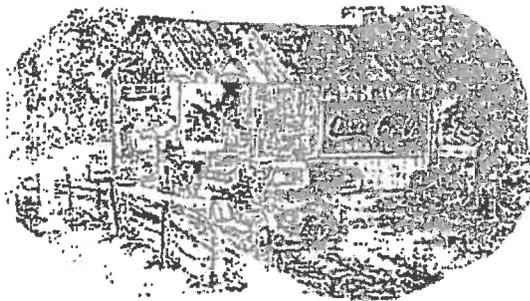
I look forward to your response.

Sincerely,

*Michael C. Baker*

Michael C. Baker  
Vice President

MCB/s  
Enclosure



ALLEGHENY ENVIRONMENTAL TECHNOLOGY

96 W. Main Street + Frostburg, MD 21532

August 21, 1996

Mr. Don Martin  
West Virginia Division of:  
Environmental Protection  
Route 20 South P.O. Box 38  
French Creek, WV 26218

COPY

Re: Paul's Service Station  
Rt. 119 South  
Philippi, WV  
WV ID # 0100014  
Leak # 92-306-L01

Dear Mr. Martin:

Mr. Michael Baker of J.C. Baker & Sons has asked AET to prepare this letter regarding the status of the Paul's Service Station site in response to our conversation of July 19, 1996.

On January 31, 1994, Mr. Baker wrote a letter to the WVDEP in response to a request by the WVDEP (dated January 13, 1994) for a corrective action plan for the above mentioned site. In his letter he raised several concerns relating to the assignment of responsibility for this site and requested clarification.

As of today, those concerns remain unanswered. In summary, they are as follows.

The site has been used as a gasoline dispensing facility for over fifty (50) years (circa 1940). From the late 1950's through the early 1970's the site was a branded Texaco outlet supplied by a Texaco distributor based in Elkins. Previous to that the site was supplied by a variety of different suppliers. In 1976, Baker Oil installed three (3) underground storage tanks (UST's) at the site, and

two (2) more UST's in 1984 and 1985, all of which were subsequently removed on May 6, 1992.

During this 50 year history of petroleum usage and storage at the site, a number of UST's have been installed and replaced, and undoubtedly a number of them have leaked. There have also been overfills and spills at the site, some of them major, including a release by the West Virginia Department of Highways in 1991 of 2000 gallons of diesel fuel that directly impacted the site. In addition, the site still contains old UST's, abandoned by previous operators or suppliers, which may still contain product and which to this day may still be contaminating the site.

In short, while Baker Oil complied with the WVDEP's request for initial abatement measures and an initial site characterization at the site, they remain unconvinced that the contamination identified at the site was the result, either wholly or in part, of the five (5) UST's that the Bakers had installed at the site. There have been too many other known and possible sources of contamination to single out these without a platform of solid evidence.

As far as we are aware, there has been no formal determination by the WVDEP that any of the contamination identified at the site is the result of the five Baker UST's. The Bakers have received no such determination nor have they received any indication that they have violated any state or federal law. In addition, as far as we are aware, the WVDEP has not addressed the issue of the abandoned UST's remaining at the site or the consequences of the contamination they may still be causing. It is primarily for these reasons that Mr. Baker wrote the letter of January 31, 1994, to seek clarification of the factual and legal basis for your request for a corrective action plan.

In conclusion, Mr. Baker believes many other potential sources of contamination are present at the site. How can the WVDEP single out J. C. Baker & Sons, Inc. as the only party responsible for any clean up? Until the abandoned tanks and other potential sources of contamination are addressed it would be impossible to accurately assess the site. In fact, Mr. Baker tells me that during an attempt to assess the site they encountered yet another tank he has absolutely no connection to. My client, Mr. Baker, feels he has done all he can do given these circumstances.

As always, if you have any questions concerning this submittal or require further information please contact me at (301) 689-8808. AET thanks you for your attention to this matter and looks forward to your comments.

AET-Pauls SC-8/96

Page # 3

Sincerely,

A handwritten signature in cursive script, appearing to read "Ron Howe".

Ron Howe  
AET Corp.

cc: Mr. Michael Baker, J. C. Baker & Sons Inc., Gassaway, WV  
Mr. Ari Loder, WVDEP, Fairmont, WV

To

Name

*Lynch*

Address

City

*Beckham*

Date

*11/9*

State

*WV*

19

~~10~~ *92*

Sold By

**J. C. BAKER & SONS, Inc**

01894

WHOLESALE DISTRIBUTION  
GASOLINE • DIESEL FUEL • TYPICAL LUBRICANTS

Gassaway, W. Va.  
Phone 364 5114

Summersville, W. Va.  
Phone 872-1759

54185MA\*

MERCHANDISE

Regular Gasoline

Lead Free Gasoline

Premium Lead Free

Diesel Fuel

Motor Oil

*87 617*

*97 617*

*900 1.23 295*

*600 1.12 295*

*500 1.097 333*

*927.00*

*672.00*

*548.50*

*Cons Lab Friday*

*Crude Day*

*Lubricant Day*

*.0485*

*.0035*

*.0010*

*97.00*

*7.00*

*2.00*

Received By

*[Signature]*

Sold To:

Name

*Fingers*

Address

City

State

Date

*11-14*

*19 92*

Sold By,

**J. C. BAKER & SONS, Inc** <sup>02708</sup>

WHOLESALE DISTRIBUTOR -  
GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gassaway, W. Va  
Phone 364 5114

Summersville, W. Va  
Phone 872-1759

SALESMAN	MERCHANDISE	QUANTITY	UNIT PRICE	TOTAL	TAXES	AMOUNT
<i>Mike</i>	Regular Gasoline					
	Lead Free Gasoline	<i>87 gal.</i>		<i>2000</i>	<i>.195</i>	<i>2016 00</i>
	Premium Lead free	<i>92 gal.</i>		<i>485</i>	<i>.295</i>	<i>538 35</i>
	Diesel Fuel					
	Motor Oil					
	Cons. Sales Tax				<i>.0485</i>	<i>120 52</i>
	Grade Tax				<i>.0035</i>	<i>8 70</i>
	Lust Tax				<i>.0010</i>	<i>2 44</i>
						<b>\$2710 06</b>

Received By,

BUYER'S SIGNATURE

TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES

Sold To

Name

*L. Knight*

Address

City

*Buckhannon*

Date

*11/24*

State

*W. Va.*  
19 *92*

Sold By

**J. C. BAKER & SONS, Inc** <sup>01948</sup>

WHOLESALE DISTRIBUTION  
GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gassaway, W. Va.  
Phone 364-5114

Summersville, W. Va.  
Phone 872-1759

SALESMAN

MERCHANDISE

QUANTITY

PRICE

UNIT

AMT

Regular Gasoline

Lead Free Gasoline

Premium Lead Free

Diesel Fuel

Motor Oil

*87 0.57*  
*92 0.7*

*900 1.005 2.95*  
*600 1.10 2.95*  
*500 1.08 3.55*

*904 50*  
*660 00*  
*545 00*

*Car Wash*  
*Crude Oil*  
*Dist. Oil*

*.0485*  
*.0235*  
*.0010*

*9700*  
*700*  
*200*

*# 1127*

Received By

*W. J. Knight*

*2215 50*

Sold To:

Name

*Ammon AS*  
~~Ammon AS~~

Sold By:

*4 90*  
*24 85*  
*74 75*

08944

# J. C. BAKER & SONS, Inc

WHOLESALE DISTRIBUTOR

GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Address

City

*Phillippi*

State

*WV*

Date

*10/22*

19 *92*

Gassaway, W. Va.  
Phone 864-6114

Summersville, W. Va.  
Phone 872-1759

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
	Regular Gasoline					
<i>MA</i> <i>Milk</i>	Lead Free Gasoline <i>87 OCT</i>	<i>1785</i>	<i>1.05</i>	<i>.295</i>		<i>1874.25</i>
	Premium Lead Free <i>92 OCT</i>	<i>700</i>	<i>1.14</i>	<i>.295</i>		<i>798.00</i>
	Diesel Fuel					
<i>NO TR -</i> <i>Leads</i>	Motor Oil <i>5W30</i>	<i>1 Gal</i>				<i>13.00</i>
	<i>Cons Salver Ave Sup</i>			<i>.0485</i>		<i>120.50</i>
	<i>Crude Sup</i>			<i>.0035</i>		<i>869</i>
	<i>Lust Sup</i>			<i>.0010</i>		<i>248</i>
<i>OK</i> <i>CK 3/4/78</i>						

Received By

*Jo Linn*  
PURCHASER SIGNATURE

\$ *2806.94*

TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES.

Sold To:

Name

*Summers*

Address

City

*Phillips*

State

*WV*

Date

*10/29*

19

*92*

SALESMAN

MERCHANT

Sold By:

9

J. C. BAKER & SONS, Inc

01957

WHOLESALE DISTRIBUTOR

• DIESEL FUEL • TRUCK LUBRICANTS

Gassaway, W. Va  
Phone 364-5114

Summersville, W. V  
Phone 872-1759

*J.P.*

Regular Gasoline

Lead Free Gasoline

Premium Lead Free

Diesel Fuel

Motor Oil

*87 007*

*92 015*

*1500*

*1.05*

*295*

*1575.00*

*500*

*1.14*

*295*

*570.00*

*Chris Baker Inc. Inc*

*Crude Inc*

*Lubricant Inc*

*2485*

*97.00*

*2025*

*700*

*2010*

*200*

*Before  
13<sup>th</sup>*

*12/10*

*ck # 3487*

Received By

*if  
fair*

*J.P. Limon*

PURCHASER'S SIGNATURE

*\$2251.00*

TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES

Sold To:

Name

*Hamric Texaco*

Address

City

*Webstersprings*

State

*W.V.*

Date

*10/13 19 92*

Sold By:

19392

**J. C. BAKER & SONS, Inc**

— WHOLESALE DISTRIBUTOR —

GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gasway, W. Va.  
Phone 364-5114

Summersville, W. Va.  
Phone 872-1769

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
<i>R.P.</i>	Regular Gasoline					
	Lead Free Gasoline <i>(87 Oct)</i>	<i>2800</i>		<i>2950</i>	<i>1.0625</i>	<i>2982 00</i>
	Premium Lead Free					
	Diesel Fuel		<i>WV Con St Tax</i>	<i>0485</i>		<i>135 80</i>
	Motor Oil <i>Lead Free 22" before 62 1/2" after</i>		<i>Crude Oil Tax</i>	<i>0035</i>		<i>9 80</i>
			<i>LUST Tax</i>	<i>0010</i>		<i>2 80</i>

Received By

*Roni Hamrich*

PURCHASER'S SIGNATURE

\$ *3130 40*

TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES.

MOORE BUSINESS FORMS INC

Sold To:

Name

*Hammis Texas*

Address

City

*Webster Springs*

State

*W. V.*

Date

*12/4*

19 *92*

Sold By: *Poncho*

**J. C. BAKER & SONS, Inc.** 01710

— WHOLESALE DISTRIBUTOR —  
GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gassaway, W. Va.  
Phone 364-5114

Summersville, W. Va.  
Phone 872-1758

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
	Regular Gasoline					
	Lead Free Gasoline	<i>87 oct</i>	<i>2000</i>		<i>.6900</i>	<i>1380.00</i>
	Premium Lead Free	<i>92 oct</i>	<i>800</i>		<i>.7800</i>	<i>624.00</i>
	Diesel Fuel					
	Motor Oil					
	<i>Federal Excise</i>			<i>.2950</i>		<i>826.00</i>
	<i>W.V. Sale &amp; Ser.</i>			<i>.1285</i>		<i>135.80</i>
	<i>Crude Tax</i>			<i>.0035</i>		<i>9.80</i>
	<i>L.U.S.T.</i>			<i>.001</i>		<i>2.80</i>

Received By

*Bank Holder*

*29978 4A*

Sold To:  
 Name Pencer SS  
 Address \_\_\_\_\_  
 City Jane Lew State WV  
 Date 12/7 19 92

Sold By: *Corrected Copy* 00108  
**J. C. BAKER & SONS, Inc.**  
 — WHOLESALE DISTRIBUTOR —  
 GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS  
 Gassaway, W. Va. Phone 364-5114  
 Summersville, W. Va. Phone 872-1759

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
<i>HO</i>	Regular Gasoline					
	Lead Free Gasoline					
	<del>High Lead Free</del> Diesel #2	900	1.06	.355		954.00
	Diesel Fuel	<del>1400</del>	<del>1.06</del>	<del>.355</del>		<del>1484.00</del>
	Motor Oil Kerosene HT	600	.79	-		474.00
					.0485	13.15
					.0035	52.50
					.0010	150.20
	"NOT TO BE USED FOR USE AS MOTOR FUEL"					1509.50

Received By A. O.

Sold To:

Name Thomas Lee

Address

City Gene Sea

State W.Va

Date 12/22

1992

SALESMAN

MERCHANDISE

*[Handwritten signature]*

Regular Gasoline

Lead Free Gasoline 8700

Premium Lead Free 9200

Diesel Fuel

Motor Oil

Sold B,

02669

# J. C. BAKER & SONS, Inc

WHOLESALE DISTRIBUTION  
GASOLINE • DIESEL FUEL • TEXAS/OKLAHOMA

Gassaway, W Va  
Phone 384-5114

Summersville, W. Va  
Phone 872-1759

QUANTITY	PRICE	TOTAL	TAX	TOTAL
3300	.2750	915.00		915.00
2300	.2750	627.50		627.50
5000				
W.V. Com. Tax	148.00			320.00
Okla. Com. Tax	103.00			196.00
Del. Tax	116.00			56.00

Received By

Tom Lee



Sold To:

Name C. Dawn Terry Disc Inc

Address \_\_\_\_\_

City Summersville, W. Va

State W. Va

Date 12/2

19 82

Sold By: J. C. Baker

<sup>02006</sup>  
**J. C. BAKER & SONS, Inc**

WHOLESALE DISTRIBUTOR  
GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gassaway, W. Va.  
Phone 364-5114

Summersville, W. Va.  
Phone 872-1759

SALES TAX

MERC. TAXES

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	TAXES	TOTAL
Regular Gasoline					
Lead Free Gasoline	3700	2.88	10656.00	645.00	11301.00
Premium lead free	920	3.10	2852.00	135.00	3087.00
Diesel Fuel					
Motor Oil					
Federal Excise			242.00		242.00
State Excise			148.00		148.00
Credit Tax			1135.00		1135.00
L.U. 5T			200.00		200.00
					13821.00

Received By:

Phillip Johnson  
F. J. P. HASSELL SIGNATURE

13821.00

**TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES**

Sold To:  
 Name C. Adam Tony Pass  
 Address \_\_\_\_\_  
 City Summersville State W.V.  
 Date 12/29 19 92

Sold By: Poncho  
**J. C. BAKER & SONS, Inc** 01738  
 WHOLESALE DISTRIBUTOR  
 GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS  
 Gasaway, W. Va. Phone 364-5114  
 Summersville, W. Va. Phone 872-1758

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
	Regular Gasoline					
	Lead Free Gasoline	37.00	2.54		94.18	129.80
	Premium Lead Free	12.00	3.00		36.00	68.30
	Diesel Fuel					
	Motor Oil					
	<del>miscellaneous</del>			2.90		5.20
	State Tax			0.45		1.35
	Credit Tax			1.00		1.00
	<u>2.45</u>					2.80
received by						138.15



Sold To:  
Name McWester Minuteman

Address \_\_\_\_\_

City Weston State WV

Date 2-26 19 93

Sold By: 14763  
**J. C. BAKER & SONS, Inc.**

— WHOLESALE DISTRIBUTOR —  
GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gasaway, W. Va.  
Phone 384-5114

Summersville, W. Va.  
Phone 872-1759

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT	
<u>NO</u> <u>pd</u> <u>ck #</u> <u>3766</u>	Regular Gasoline						
	Lead Free Gasoline 87 OCT	1000	.96	.295		960.00	
	Premium Lead Free 92 OCT	500	1.04	.295		520.00	
	Diesel Fuel						
	Motor Oil						
	Comp. Sales for Sep				.0485	72.75	
	Crude Sep				.0035	5.25	
	Lust Sep				.0010	1.50	

Received By \_\_\_\_\_ PURCHASER'S SIGNATURE \$ 1559.50

TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES.

SHEET NO. \_\_\_\_\_

RATING \_\_\_\_\_

CREDIT LIMIT 472-9852

TERMS \_\_\_\_\_

NAME Jinger's Service Station

ADDRESS Weston Road

Buckhannon, W V 26201

ACCOUNT NO. 1181 51

11010 1000

WILSON JONES FORM GNS-D N2-D	DATE TO	ITEMS	POLIC	DEBITS	CREDITS	BALANCE
	Jan 1					12054.66
	2	1100 LF Plus 3300 LF 2000 P/L 2000 Diesel 23230 ✓		9180.20		21,205.46
	2	CR (Inv 23230)			9180.20	12054.66
	9	CK (on Inv 23230)			9208.30	2816.30
	30	1100 LF Plus 3300 LF 2300 P/L 2000 Diesel 11 23230 ✓		9069.10		11,879.40
	FEB 3	CK (2916.30 on Inv 23230 + 7122.70 on Inv 23230)			10000.00	1879.40
	MAR 5	1600 LF Plus 4400 LF 2700 P/L 23230 ✓		9234.10		17,113.50
	10	Cash (on Inv 23230)			791.70	17,921.30
	APR 3	4400 LF, 2700 P/L, 1500 Diesel 23230 ✓		2562.30		19,124.10
	11	CK (1057.30 on Inv 23230 + 1410.00 on Inv 23230)			10000.00	9124.10
	MAY 29	Cash (3218.00 on Inv 23230 + 475.20 on Inv 23230)			10000.00	8124.10
	JUN 21	1800 LF, 1185 P/L 23230 ✓		2748.88		10932.98
	25	CK (on Inv 24876)			3000.00	7932.98
	27	1300 LF, 485 P/L, 700 Diesel H 2262 ✓		2588.2		10521.80
	27	CK (Inv 2262)			2588.2	7932.98
	JUL 2	1300 LF, 485 P/L, 700 Diesel H 2532 ✓		2563.08		10279.06
	2	CK (Inv 05328)			2563.08	7715.98
	5	Credit for purchase (against Inv 24876)			<1148.25>	7715.98
	7	Credit for purchase (against Inv 24876)			<328.85>	7555.88
	16	1300 LF, 1185 P/L 23230 ✓		2709.79		10265.67
	16	CK (Inv 21871)			2709.79	7555.88
	26	900 LF, 600 P/L, 500 Diesel H 2328 ✓		2149.50		9705.38
	26	CK (Inv 05328)			2149.50	7555.88
	28	1785 LF, 700 P/L 23230 ✓		2481.29		10237.17
	28	CK (Inv 21870)			2481.29	7555.88
	AUG 9	900 LF, 600 P/L, 500 Diesel H 2182 ✓		2568.00		10123.88
	9	CK (Inv 2182)			2568.00	7555.88
	14	1300 LF, 1185 P/L 23230 ✓		3213.00		10765.88
	14	CK (Inv 2182)			3213.00	7555.88
	22	1785 LF, 700 P/L 23230 ✓		3426.79		10982.67

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME Linger's Service Station

RATING

ADDRESS Weston Road

CREDIT LIMIT

Buckhannon, WV 26201

TERMS

DATE TO 32	ITEMS	PAID	✓	DEBITS	CREDITS	BALANCE
AUG 22	CK (Int. 5483)				2426.79	7536.88
29	600 LF 900 P/G 500 diesel	H	06186	2654.50		10710.38
29	CK				2654.50	
	CK				2000.00	7555.88
SEPT 4	900 LF 1100 P/G		05703	2700.00		10255.88
4	CK				2700.00	7555.88
8	1100 LF 900 P/G		06074	2778.00		
	600 Diesel	H	07005	811.20		11175.08
8	CK (Int. 6001)				2778.00	8316.708
10	Credit for purchases (against Int. 24174)		05035		(408.92)	7958.16
11	CK (Int. 2003)				811.20	7146.96
17	1400 LF 600 P/G		07105	2715.00		7861.96
17	CK (Int. 7383)				2715.00	7146.96
31	2000 LF 500 Diesel	H	07394	3322.50		10469.46
22	CK (Int. 67394)				3322.50	7146.96
28	1100 LF 500 P/G 400 Diesel	H	05279	2911.00		10057.96
OCT 2	CK (Int. 05279)				2911.00	7146.96
3	Credit for purchases (against Int. 211874)		06592		(146.37)	7000.59
4	900 LF 600 P/G 500 Diesel	H	05588	2843.75		9844.34
4	CK (Int. 05588)				2843.75	7000.59
8	1300 LF 700 P/G 485 Diesel, Oil	H	05635	3574.55		10573.14
8	CK (Int. 05635)				3574.55	7000.59
15	800 LF 500 P/G 700 Diesel	H	05443	2910.00		9910.59
15	CK (Int. 05443)				2910.00	7000.59
19	1300 LF 485 P/G 700 Diesel	H	05715	3569.70		10570.29
20	CK (Int. 05715)				3569.70	7000.59
25	900 LF 500 P/G 600 Diesel	H	07462	2725.00		9735.59
25	CK (Int. 07462)				2725.00	7000.59
30	2000 LF 485 P/G		07462	3413.07		10413.66
30	CK (Int. 07462)				3413.07	7000.59

SHEET NO. \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_

RATING \_\_\_\_\_

NAME \_\_\_\_\_

Linger's Service

CREDIT LIMIT \_\_\_\_\_

ADDRESS \_\_\_\_\_

17 Weston Road

BUCKHARTON, WV 26201

TERMS \_\_\_\_\_

© WILSON JONES COMPANY

N-0 WHITE

G-2-O GREEN

MADE IN U.S.A.

DATE 1970	ITEMS	FOLO	DEBITS	CREDITS	BALANCE
Nov 5	Credit for Oct purchases (on Inv #24876)	4450 ✓		320.00	6680.57
6	1300 G.P., 485 P.D., 700 Diesel	H 0821 ✓	3469.07		10111.64
6	CK (Inv 0352)			3469.07	6680.57
12	2000 G.P., 485 P.D.	0822 ✓	3413.07		10293.64
12	CK (Inv 0827)			3413.07	6680.57
20	1300 G.P., 485 P.D., 700 Diesel	H 0457 ✓	3386.45		10677.02
20	CK (Inv 0637)			3386.45	6680.57
28	1785 G.P., 700 P.D.	0614 ✓	3311.68		9992.25
29	CK (Inv 0614)			3311.68	6680.57
Dec 4	1700 G.P., 485 P.D., 700 Diesel	H 0850 ✓	3375.36		10055.93
5	CK (Inv 0880)			3375.36	6680.57
11	1800 G.P., 485 P.D., 700 Diesel	H 0914 ✓	3105.68		9786.25
11	CK (Inv 0918)			3105.68	6680.57
18	1300 G.P., 485 P.D., 700 Diesel	H 0514 ✓	3020.27		7700.84
21	CK (Inv 0918)			3020.27	6680.57
26	2000 G.P., 485 P.D. (corrected - 124.25)	0744 ✓	2876.42		9556.99
29	CK (Inv 03404 & 124.25 on Inv 24876)			3000.67	6556.92

SHEET NO. \_\_\_\_\_

RATING \_\_\_\_\_

CREDIT LIMIT \_\_\_\_\_

TERMS 457-5450

NAME Simons' Service Center

ADDRESS Rt. 1 Box 66

Phillippi, WV 26416

ACCOUNT # 7111  
8724

WILSON JONES FORM 622-D 12-2	DATE TO	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
	Jan 1						763640
	4	3300 LF 2500 P/L 1000 Duval	H	21337	✓	752440	1515080
	15	CK				762440	762440
	17	1000 X3 Plus, 2000 X2, 2500 X3 Perm, 1000 Duval	H	21337	✓	752440	1485290
	27	CK				752440	732850
	31	3800 X2, 3000 Perm, X2		2326	✓	752440	1472890
	FEB 12	CK				752440	732850
	16	3800 X2, 2500 P/L, 900 Duval ✓	H	21337	✓	699385	1432625
	24	CK				752440	679385
	28	3300 X2, 2500 P/L, Oil		25889	✓	623609	1321994
	MAR 8	CK				699385	623609
	10	2800 LF		28604	✓	378880	901489
	16	2200 X2, 3000 P/L, 600 Duval	H	21337	✓	615990	1517479
	23	CK				623609	894870
	29	3300 X2, 2500 P/L		24871	✓	618340	1513210
	29	CK				378880	1234330
	APR 5	600 Duval, 900 Kero (Duval)	H	24325	✓	135890	1370320
	9	CK				615990	754330
	11	3300 X2, 2700 P/L		24585	✓	640800	1395130
	20	CK				618340	776790
	23	3800 X2, 3000 P/L	1111 Owe 455167	21703		728740	1505930
	MAY 3	CK				640800	864930
	5	1900 X2, 700 P/L, 485 Duval	H	22637	✓	766971	1131201
	5	CK				366971	864930
	9	1785 X2, 700 P/L		24386	✓	371280	1135570
	9	CK				371286	864930
	16	2000 X2, 800 P/L		24385	✓	308580	1172810
	16	CK				308580	864930
	21	1100 X2, 900 P/L		23524	✓	337700	12091930
MADE IN U.S.A.	21	CK				337700	864930

ACCOUNT NO.

SHEET NO.

NAME Simco's Service Center

RATING

ADDRESS Rt. 1 Box 66

CREDIT LIMIT

Philippi, WV 26416

TERMS

DATE	ITEMS	POLY	✓	DEBITS	CREDITS	BALANCE
MAY 24	1500 X3, 500 P23, 500 Diesel	H	0526	✓	276775	11410.05
24	CK				276775	8642.30
26	500 X3, 1500 P23		2467	✓	232700	10769.50
26	CK				232700	8642.30
31	900 X3, 600 P23, 500 Diesel	H	0527	✓	219100	12833.90
31	CK				219100	8642.30
JUN 2	1785 X3, 700 P23		2468	✓	278735	11429.65
2	CK				278735	8642.30
5	800 X3, 1200 Diesel, Oil	H	0528	✓	211804	12754.34
5	CK				211204	8642.30
8	700 X3, 1785 P23		2469	✓	287721	11519.51
8	CK				287721	8642.30
13	1400 X3, 600 P23		0530	✓	217700	12819.30
13	CK				217700	8642.30
18	1300 X3, 485 P23, 700 Diesel, Oil	H	0533	✓	202728	11264.58
18	CK				202728	8642.30
20	1300 X3, 1200 P23		0537	✓	276635	11408.55
20	CK				276635	8642.30
26	1775 X3, 700 P23		0539	✓	265815	11309.45
26	CK				265815	8642.30
30	600 X3, 900 P23, 500 Diesel	H	0543	✓	213225	10774.55
30	CK				213225	8642.30
JUL 4	1785 X3, 700 P23		2467	✓	263080	11279.10
4	CK				263080	8642.30
6	1300 X3, 485 P23, 700 Diesel	H	0545	✓	254166	11183.96
6	CK				254166	8642.30
9	485 X3, 1300 P23, 700 Diesel, Oil	H	0552	✓	262735	11269.65
9	CK				262735	8642.30
13	1500 X3, 1000 P23		2466	✓	264250	11281.80
13	CK				264250	8642.30

SHEET NO.

ACCOUNT NO.

RATING

NAME

SIMON'S SERVICE CENTER

CREDIT LIMIT

ADDRESS

TERMS

WILSON JONES FORM 12-D	DATE TO BAL	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
	JUL 18	CK (on bill # 21225)				250.00	8392.30
	20	1300 X 3, 1185 P 2 3, Del	8776	✓	2772.15		11169.45
	20	CK				2772.15	8392.30
	25	1300 X 3, 700 P 2 3, 485 Dual (corrected 21650)	8512	✓	3681.59		11074.19
	25	CK (on bill # 3332)				2306.44	8707.55
	26	CK (on bill # 31332)				500.00	8207.55
	28	1785 X 3, 700 P 2 3	8776	✓	2693.71		10921.26
	28	CK				2693.71	8207.55
	31	1300 X 3, 485 P 2 3, 700 Dual	H 0618	✓	2663.24		10870.99
	31	CK				2663.24	8207.55
	AUG 6	1300 X 3, 1185 Dual	H 1418	✓	2911.66		11119.21
	6	CK				2911.66	8207.55
	7	1185 X 3, 1300 P 2 3, Del	8174	✓	3213.91		11421.46
	7	CK (on bill # 24325 + 550.00 on bill # 24702)				1200.00	10221.46
	14	1300 X 3, 1185 P 2 3	8738	✓	5213.00		13434.46
	14	CK (on bill # 07352 + 1500.00 on bill # 24702)				471.300	8721.46
	17	1800 X 3, 700 P 2 3	8556	✓	3265.75		11987.21
	18	CK (on bill # 5500)				3265.75	8721.46
	24	1800 X 3, 700 P 2 3	8504	✓	3497.00		12318.46
	24	CK (on bill # 5600)				3497.00	8721.46
	31	1300 L.F. 1185 P.F.	8570	✓	3337.25		12058.71
	31	CK (on bill # 5700)				3337.25	8721.46
	SEPT 6	1500 X 3, 1000 P 2 3, Del (corrected + 3.00)	8122	✓	5422.13		12443.59
	6	CK (on bill # 5524 - 3.00)				3419.13	8721.46
	13	1000 X 3, 700 P 2 3, 800 Dual	H 0368	✓	3417.55		12142.01
	13	CK (on bill # 5600)				3417.55	8721.46
	17	1500 X 3, 500 P 2 3	8606	✓	2704.00		11428.46
	17	CK (on bill # 6600)				2704.00	8721.46
	21	1200 X 3, 800 P 2 3, 500 Dual	H 0507	✓	3410.50		12134.96
	21	CK (on bill # 5139)				3410.50	8721.46

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME SIMON'S SERVICE CENTER

RATING

ADDRESS Rt. 1 Box 66

CREDIT LIMIT

PHILIPPI, WY 26416

TERMS

DATE	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
SEPT 22	1200 DL, 800 Pd, 500 Diesel	H 2568 ✓	3658.00		12324.46
22	CK (Inv. 5478)			3658.00	8724.46
OCT 6	1400 DL, 600 Pd	2536 ✓	2795.00		11519.46
6	CK (Inv. 05636)			2795.00	8724.46
10	900 DL, 400 Pd, 500 Diesel	H 26732 ✓	2845.00		11569.46
10	CK (Inv. 06702)			2845.00	8724.46
16	1785 DL, 700 Pd	2751 ✓	3511.27		12238.73
16	CK (Inv. 07551)			3511.27	8724.46
24	1785 DL, 700 Pd, Del	2759 ✓	3445.58		12170.04
24	CK (Inv. 07154)			3445.58	8724.46
26	900 LF 600 PF 500 Diesel	H 28508 ✓	2805.00		11529.46
26	CK (Inv. 08508)			2805.00	8724.46
NOV 5	900 DL, 600 Pd, 500 Diesel	H 25737 ✓	2812.50		11536.96
5	CK (Inv. 08738)			2812.50	8724.46
10	1785 DL, 700 Pd	2812 ✓	3436.72		12161.18
10	CK (Inv. 08734)			3436.72	8724.46
13	CK (on Inv. 24703)			500.00	8224.46
17	1785 DL, 700 Pd	2845 ✓	3375.05		11599.51
17	CK (on Inv. 08043)			3375.05	8224.46
23	1300 DL, 700 Pd, 485 Diesel (corrected - 400)	H 27497 ✓	3339.42		11563.89
23	CK (Inv. 08497 - 90.65 on Inv. 24703)			3380.25	8183.83
29	1200 LF 1300 PF	06142 ✓	3891.25		11575.08
29	CK (Inv. 06142)			3891.25	8183.83
DEC 4	900 DL, 1100 Diesel	H 28287 ✓	2723.20		10907.03
6	CK (Inv. 08287)			2723.20	8183.83
10	1800 LF 700 Prem.	08282 ✓	3040.00		11183.83
10	CK (08282)			3040.00	8183.83
14	1100 DL, 900 Pd, Del	08481 ✓	2398.00		10581.83
14	CK (Inv. 08481)			2398.00	8183.83



CREDIT LIMIT

ADDRESS P. O. Box 979 (The Mill)

Write 1-  
#2222

TERMS

Buckhannon, WV 26201

WILSON JONES FORM GN2-D N2-D	DATE 1970	ITEMS	POLIC	✓	DEBITS	CREDITS	BALANCE
	Jan 1						366.72
	10	1000 Diesel	21190	✓	1233.00		4896.71
	10	Multigear 90 Maxjax 17162	23647	✓	185.60		5081.81
	17	Wasa SP 30, Regal 68	23066	✓	342.65		5424.46
	17	CK (on 1-1-70 bal)				1302.70	4121.76
	24	CK (on 1-1-70 bal)				1379.20	2742.56
	31	300 X 2 1000 Diesel	24753	✓	1236.40		3978.96
	FEB 1	CK (Inv 23066)				342.65	3636.31
	8	CK (Inv 21190)				1233.00	2403.31
	21	1000 Diesel	24774	✓	853.00		3598.96
	5	Wasa SP 30, Regal 68	23216	✓	342.65		3598.96
	22	CK (Inv 24753)				1236.40	2362.56
	26	Tire Repair	28	✓	30.00		2710.96
	5	Antyfreeze & Multigear 90	24004	✓	318.40		2710.96
	MAR 1	Wasa SP	24306	✓	187.30		2523.26
	8	CK (Inv 24774, 23216)				1185.65	1722.61
	14	1000 Diesel	23839	✓	889.00		2591.61
	14	CK (Inv 28, 24004, 24306)				535.70	2055.91
	20	13.9 X 2 11" 12.500"	10	✓	15.00		2055.91
		35# 174 80-90	24350	✓	21.70		2092.61
	26	14.3 X 2 11" 12.500"	12	✓	14.80		2107.41
	27	Oil & Grease	24159	✓	282.50		2389.91
	APR 2	300 X 2, 1000 Diesel	24027	✓	1215.30		5605.21
	2	CK (Inv 23839, 10 = 24350)				925.70	2679.51
	4	20.2 X 2	11	✓	22.25		2701.76
	11	CK (Inv 12 = 24159)				297.30	2404.46
	24	Oil	23845	✓	342.65		2747.11
	27	1000 diesel	23248	✓	876.50		3623.61

NAME

NAME

ADDRESS P.O. Box 979 The Mill  
Buckhannon, WV 26201

CREDIT LIMIT

TERMS

DATE 1992	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
MAY 10	oil	24020	✓	18370		258976
11	oil	24022	✓	18370		277346
15	CK (Inv 23845)				✓ 34265	243081
22	1000 Diesel	24670	✓	88150		331231
25	oil & Grease	24677	✓	54995		386226
JUN 5	Plug Wire	22	✓	300		386426
7	CK (Inv 24090, 24092, 24670, 24677)				✓ 179885	206541
8	200 Lt, 1000 Diesel	24725	✓	106370		312911
11	oil	24458	✓	18370		331281
19	Antifreeze	26381	✓	27500		358781
26	CK (Inv 24452)				✓ 18370	340411
30	1000 Diesel	24924	✓	81300		421711
JUL 4	CK (Inv 6381)				✓ 27500	394211
5	oil	21451	✓	18370		412581
12	CK (Inv 6964)				✓ 81300	331281
18	CK (Inv 21451)				✓ 18370	312911
20	200 Lt, 1000 Diesel	24976	✓	106960		419871
20	25 diesel	05	✓	2500		422371
28	oil	21978	✓	16720		439091
31	CK (Inv #6476 + 65)				✓ 109460	329631
AUG 7	1000 Diesel	21947	✓	105300		434931
8	oil	21879	✓	15895		450826
13	600 Diesel	25343	✓	66150		516976
15	oil & Grease	26185	✓	24880		541856
22	CK (Inv 21947, 21879)				✓ 121175	420681
23	oil	27797	✓	14630		435291
28	200 Lt, 1000 Diesel	21839	✓	146960		
	Credit memo	27389	✓		1229	581022

CREDIT LIMIT

ADDRESS

"THE MILL"

TERMS

WILSON JONES FORM N2-D	DATE 19 76	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
	SEPT 12	Grease	06653	✓	45.10		3922.22
	14	ck (Inv 21839)				1469.60	2452.62
	18	200 L.F. 1000 Diesel	05707	✓	1441.90		3894.52
	19	oil	06584	✓	330.00		4224.52
	28	Oil	07530	✓	183.70		4408.22
	28	ck (Inv 06653)				65.10	4343.12
	OCT 1	ck (Inv 05707, 06584)				1771.90	2571.22
	4	1000 Diesel	05634	✓	1312.00		3883.22
	6	Grease	05638	✓	107.64		3990.86
	11	ck (Inv 21998)				167.20	3823.66
	17	oil	07550	✓	526.35		4350.01
	20	ck (Inv 07530)				183.70	
		ck (Inv 05634, 05638 - 4 & Short) (H.V.)				1419.64	2746.67
	22	1000 Diesel	05716	✓	1327.00		4073.67
	24	oil	08504	✓	170.5		4091.92
	31	ck (Inv 05716, 07553)				1853.35	2237.37
	NOV 5	Grease	05738	✓	65.10		2302.47
	6	1000 Diesel	08522	✓	1282.00		3584.47
	10	Credit Memo	06242	✓		185.60	3398.87
	12	oil	05745	✓	59.90		3458.77
	15	Grease	08039	✓	86.80		3545.57
	17	oil	08533	✓	342.65		3888.22
	20	ck (Inv 08504)				17.05	3871.17
	21	ck (Inv 08522, 05738)				1347.10	2524.07
	26	1000 Diesel	08280	✓	1222.00		3746.07
	29	grease	08384	✓	107.64		3853.71
	30	ck (Inv 08039, 05745)				146.70	3707.01
	DEC 3	700 L.F.	08803	✓	926.10		4633.11



CREDIT LIMIT Judy 472-2841

NAME WOODS LUMBER COMPANY  
ADDRESS P.O. Box 979 Buckhannon Auct.

Wrote 12/16

TERMS

Buckhannon, WV 26201

WILSON JONES FORM GN2-D N2-D	DATE 19 <u>90</u>	ITEMS	POLIC	DEBITS	CREDITS	BALANCE
	Jan 1					10442.54
	19	AK				
	24	CK			532.40	9910.14
	FEB 1	Truck S-Plus 30 Jacques St. 10 N.Y.C.	23636 X	439.00		10349.14
	MAR 7	Truck 30W, Regal 32, New 10 N 30 v 10 N 40	23454 X	471.95		11821.09
	12	500 X 9, 1500 Diesel	22605 X	1831.50		13652.59
	APR 11	Oil & Grease	10438 X	580.45		13233.04
	30	Oil	24252 X	326.15		13559.19
	JUN 16	Oil & Grease	24259 X	496.05		14055.24
	JUL 20	Oil - Antifreeze	24265 X	774.79		14830.03
	AUG 20	2000 Diesel	2772 X	2305.00		17161.38
		Oil	15507 X	526.35		17661.38
	SEPT 6	CK (Int 2772, 22605)			4136.50	13524.88
	24	credit to reconcile			2402	13500.86
	OCT 1	CK (Int 24265)			774.79	12726.07
	11	Oil & Grease 10/3	25153	481.84		13207.91
	25	Oil & Grease	18447	604.92		13812.83
	30	700 X 9, 1785 Diesel	08256 X	3243.70		17056.53
	DEC 26	Oil 12/17 (corrected - 20.00)	05160 X	634.16		17690.69

SHEET NO.

ACCOUNT NO.

RATING

Kennedy R. Hamrick

NAME

Hamrick Service Station (Kennedy Hamrick)

CREDIT LIMIT

ADDRESS 126 Baker Street

TERMS

Sub. trac<sup>+</sup> 4/12/41

Webster Springs, WV 26288

WILSON JONES FORM GN2-D N2-D	DATE 1941	ITEMS	FOLIO /	DEBITS	CREDITS	BALANCE
	Jan 1					83,864.86
	3	bil	11868 ✓	225.71		84,090.57
	5	CK			225.71	83,864.86
	6	CK			2393.80	80,471.06
	13	1400 G.2, 2000 P.2, 2000 Diesel (Heat)	23113 ✓	922.00		79,549.06
	13	CK			2740.00	86,289.06
	24	2000 G.2 Plus, 2300 L.2 (Corrected)	2735 ✓	4564.90		91,518.96
	24	CK			9222.00	82,296.96
	FEB 2	2000 Diesel (Heat)	24752 ✓	1581.00		80,715.96
	2	CK			1581.00	82,296.96
	3	CK (for 2393)			4575.50	77,721.46
	9	3300 LF 3400 PF 1800 Diesel ✓	H 23131 ✓	8932.65		86,654.11
	20	2400 G.2, 1000 P.2	2398 ✓	3578.30		90,232.41
	23	1100 Diesel H. ✓ 900 Kero (Heat) ✓ <small>Corrected</small>	25680 ✓	1874.20		92,106.61
	MAR 1	CK			3578.30	88,528.31
	2	2500 Diesel	H ✓	2637.50		91,165.81
	12	CK			1874.20	89,291.61
	12	CK			8932.65	80,358.96
	16	CK			2637.50	77,721.46
	20	2700 G.2, 1100 P.2	24561 ✓	3997.40		81,718.86
	28	CK			3997.40	77,721.46
	APR 3	2000 Diesel (Heat)	24571 ✓	1402.00		76,319.46
		4000 G.2, 2700 P.2	24578 ✓	7124.10		83,443.56
	9	CK			7124.10	79,188.46
	13	1300 Diesel, 1200 Kero (Heat)	24884 ✓	1982.85		81,165.61
	18	2300 L.2, 1100 P.2	24597 ✓	3588.20		84,753.81
	18	CK			1462.00	83,291.81
	18	CK			1982.85	81,308.96
	26	CK			3588.20	77,720.76

ACCOUNT NO. \_\_\_\_\_  
 NAME Hamrick <sup>Texaco</sup> Service Station  
 ADDRESS 126 Baker Street  
 Webster Springs, W V 26288

SHEET NO. \_\_\_\_\_

RATING \_\_\_\_\_  
 CREDIT LIMIT \_\_\_\_\_  
 TERMS \_\_\_\_\_

DATE	ITEMS	POLIC	✓	DEBITS	CREDITS	BALANCE
APR 30	5000 X3, 3000 P23	24712	✓	828400		8620596
MAY 17	2700 X3, 4000 P23, 1800 Diesel	H 24726	✓	945650		9562196
	19 CK				348400	8717796
JUN 8	CK				945650	7772146
	11 3700 X3, 3000 P23, 1800 Diesel	H 24726	✓	922450		8694196
JUL 2	CK				922450	7772146
	4 4000 X3, 2700 P23, 1000 Diesel (Heat)	H 24726	✓	827810		8599356
	19 CK				827810	7772146
	20 4000 X3, 2700 P23, 1505 Diesel	H 24726	✓	897283		8608829
	28 CK				897283	7772146
AUG 3	3300 X3, 2700 P23	27206	✓	738000		8510146
	4 1352 Diesel	H 25257	✓	154668		8664814
	15 128 Kero, 382 Diesel (Heat)	25293	✓	49402		8714214
	15 CK				49402	8220214
	17 3300 X3, 2000 P23	27340	✓	696690		9301504
	25 CK				154668	
	25 CK				738000	8468836
Sept 12	CK				696690	7772146
	17 800 Kero, 2000 Diesel (Heat)	21111	✓	296360		8068506
	17 CK				296360	7772146
	18 4000 LF 3000 PIF	25560	✓	960150		8768296
OCT 6	800 Kero, 2000 Diesel (Heat)	21365	✓	343440		9111736
	8 CK				960150	8151586
	12 CK				343440	7772146
	15 4000 X3, 4000 P23	25578	✓	1149400		8921746
	25 CK				1149400	7772146
NOV 6	4000 X3, 2000 P23, 2000 Diesel	H 27418	✓	1120600		8892746
	12 Diesel	26123	✓	6440		8899196
	14 2000 Diesel, 800 Kero (Heat)	2762	✓	345360		9244546

SHEET NO. \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_

RATING \_\_\_\_\_

NAME \_\_\_\_\_

Farrick's Texaco Station

CREDIT LIMIT \_\_\_\_\_

ADDRESS \_\_\_\_\_

126 Baker Street

TERMS \_\_\_\_\_

Webster Springs, WV 26288

WILSON JONES COMPANY

W-D WHITE

CH-D GREEN

MADE IN U.S.A.

DATE 1990	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
MAY 120	CK (Inv 06123)			684.00	9,238.10
22	CK (Inv 07962)			345.36	8,892.74
29	CK (Inv 07418)			11,206.00	7,686.74
DEC 12	5000.00, 3000.00	81157 ✓	9,744.00		8,742.74
31	1200.00 Retail, 800.00 Kero (Wheat)	71458 ✓	2,087.00		8,755.24

SHEET NO.

ACCOUNT NO.

RATING

Den Prince

NAME

Prince, W. J.

PRINCE'S SERVICE STATION

CREDIT LIMIT

884-7411

ADDRESS

Main Street

P.O. Box 323

TERMS

Jane Lew, WV 26378

WILSON JONES FORM GN2-D N2-D		DATE 19 80	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
JAN	1	2700 LF 1100 PLE	23278 ✓	4009.60			4009.60
	4	600 Kendaon (new)	11866 ✓	751.80			4761.40
		4 CK				4761.40	
	23	2000 X3, 1500 PLS	21344 ✓	4543.50			4543.50
	23	"				4543.50	
FEB	12	800 X3, 1000 Diesel	H 43411 ✓	3905.50			3905.50
	20	CK				3905.50	
MAR	7	500 Kera (Steal)	23222 ✓	439.75			439.75
	14	3800 X3, 3300 PLS	24952 ✓	759.30			803.30
	14	CK				759.30	439.75
	25	1800 X3, 1100 PLS	24971 ✓	3070.70			2516.45
APR	4	CK				5754.20	439.75
	24	3400 X3, 2000 PLS	24952 ✓	5724.20			5284.45
	24	CK				5724.20	439.75
MAY	1	900 Diesel	H 24612 ✓	806.85			367.10
	21	2500 X3, 1500 PLS	24735 ✓	551.50			588.10
	31	CK				5075.25	806.85
JUN	5	CK				5075.25	
	8	2500 X3, 1500 PLS	24866 ✓	4462.00			4402.00
	8	CK				4402.00	
	22	1500 Diesel	H 24645 ✓	1144.50			1444.50
JUL	7	3300 X3, 2300 PLS	24875 ✓	6124.50			7571.30
	7	CK				6124.50	1444.50
	12	CK				1444.50	
AUG	6	2500 X3, 1500 PLS	2429 ✓	5914.50			5914.50
	6	CK				5914.50	
SEPT	3	1000 X3	24684 ✓	1332.00			1332.00
	14	CK				1332.00	
	17	3200 X3, 1800 PLS	11829 ✓	5072.90			5072.90
	19	CK				5072.90	

MADE IN U.S.A.

ACCOUNT NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

NAME Prince, W. J.

RATING \_\_\_\_\_

ADDRESS Main Street

CREDIT LIMIT \_\_\_\_\_

Jane Lew, WV 26378

TERMS \_\_\_\_\_

DATE 19 32	ITEMS	FOLIO	/	DEBITS	CREDITS	BALANCE
SEPT 21	10.00 Diesel	H 07515	✓	1347.00		
	300 Kero (Heat)	02876	✓	375.60		1722.60
	21 CK				1749.60	< 27.00
OCT 23	3500 P&P, 1800 P&P	06668	✓	7321.10		7294.10
	23 CK				7321.10	< 27.00
NOV 17	1200 P&P	02535	✓	1594.00		1549.00
	19 2000 P&P, 1500 Diesel	H 07519	✓	494.50		1549.50 ✓
	23 600 Kero (Heat)	02874	✓	811.30		7320.70
	26 CK				1536.50	784.20 ✓
	30 CK				784.20	-0-
DEC 6	4000 P&P	02522	✓	5208.00		5208.00 ✓
	17 CK				5208.00	-0-

SHEET NO.

ACCOUNT NO.

RATING

548-5397

NAME

Samples' Service Station

CREDIT LIMIT

Dennis E. Smith Co. Sample ADDRESS Rt. 1 Box 7

TERMS

Precious, NV 2516A

WILSON JONES FORM 682-D NED	DATE 10/10	ITEMS	POLIC ✓	DEBITS	CREDITS	BALANCE
	Jan 1					5576.80
	5	3400 LF 2000 PLF	23106 ✓	6067.20		11439.00
	19	CK			5326.80	6112.20
	26	3800 X2 2000 Plum X4	23127 ✓	6249.40		12314.60
	Feb 9	CK			6662.20	12494.00
	16	3500 X2 2000 Plum X3	23178 ✓	5126.50		12075.90
	MAR 2	CK			6249.40	5826.50
	9	3800 X2 1000 PLS	23151 ✓	5684.20		11510.20
	23	CK			5826.50	5684.20
	30	3400 X2 2000 PLS	23175 ✓	5724.20		11407.40
	Apr 12	CK			5684.20	5724.20
	18	4300 X2 2000 PLS	23132 ✓	6114.90		12368.10
	MAY 3	CK			5724.20	6673.90
	10	4100 X2 1500 PLS	23120 ✓	6328.00		12971.90
	25	CK			6673.90	6328.00
	31	2600 X2 1100 PLS	23155 ✓	4043.10		10371.10
	JUN 12	CK			6328.00	4043.10
	13	4200 X2 1600 PLS	23153 ✓	6325.40		10468.50
	28	CK			4443.10	6325.40
	JUL 4	4000 X2 2000 PLS	23172 ✓	6561.20		12886.60
	19	CK			6325.40	6561.20
	20	4000 X2 1100 PLS	23191 ✓	5582.30		12143.50
	AUG 4	CK			6561.20	5582.30
	8	4000 X2 2000 PLS	23208 ✓	7658.80		13240.30
	25	CK			5582.30	7658.00
	30	4400 LF 1600 PLF	27349 ✓	7919.00		15577.00
	Sept 11	CK			7658.00	7919.00
	20	3300 X2 1100 PLS DL	23562 ✓	599.20		13910.00
	OCT 4	CK			7919.00	5992.00

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME Samples' Service Station

RATING

ADDRESS Rt 1 Box 7

CREDIT LIMIT

Proctous, WV 25164

TERMS

DATE Mo. Day	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
OCT 8	3800 Pd 2, 1600 Pd 3	15572	✓	7544.30		13536.30
29	CK				5992.00	7544.30 ✓
29	4400 Pd 2, 1600 Pd 3	07414	✓	8140.00		15684.30
NOV 13	CK				7544.30	8140.00 ✓
16	3800 Pd 2, 1600 Pd 3	07472	✓	7476.80		15616.80
DEC 3	CK				8140.00	7476.80 ✓
7	3800 Pd 2, 1600 Pd 3	07497	✓	7078.80		14505.60
24	CK				7476.80	7078.80
28	3300 Pd 2, 1800 Pd 3	7811		5983.80		13612.60

SHEET NO.

ACCOUNT NO.

RATING

NAME White Service Station

CREDIT LIMIT

ADDRESS 103 Third Street

TERMS

Cassaway, WV 26624

WILSON JONES  
FORM 10-D

DATE  
TO 14

ITEMS

FOLIO /

DEBITS

CREDITS

BALANCE

Jan 1

2 oil  
2 ct  
6 oil  
7 ct  
9 ct  
13 oil  
14 2000 FC  
14 Cash  
14 ct  
19 6550 FC 2500 FC  
19 oil  
19 Cash  
25 ct  
26 gas  
26 Cash  
30 oil  
30 Cash  
Feb 6 ct  
9 oil  
9 6550 FC 2500 FC  
9 Cash  
13 oil  
13 Cash  
14 ct  
17 2500 FC  
23 ct  
25 oil  
25 Cash

1088 ✓  
41 ✓  
14 ✓  
12016  
1023 10  
80 ✓  
41 ✓  
06 ✓  
51 ✓  
1237  
99 ✓  
674  
4 ✓

2358  
4758  
30000  
2358  
101555  
2358  
2380  
4716  
40000  
2400  
2400  
2400  
500000  
500000  
4716

1155531  
1157889  
1155531  
1140289  
1155531  
855531  
1080089  
627731  
1645540  
1643180  
1043186  
1045566  
1043186  
1044902  
643186  
1661440  
1658040  
1660040  
1158040  
1436390  
936390  
941106  
936390

MADE IN U.S.A.

NAME White Service Station

RATING

ADDRESS 103 Third Street

CREDIT LIMIT

Gassaway, WV 26624

TERMS

DATE	ITEMS	POLIC.	DEBITS	CREDITS	BALANCE
Jul 28	ck			3983.00	6000.00
29	5550 FC 3500 LF	10257	10194.54		16194.54
Aug 10	ck			6500.00	9694.54
14	Oil	42	23.58		9718.12
14	CASH			23.58	9694.54
19	6550 FC 2500 LF	10278	10064.04		19758.58
19	ck			5000.00	14758.58
28	ck			5000.00	9758.58
31	Oil	17	7.00		
31	Oil	41	4.716		9812.74
31	CASH			7.00	
31	CASH			4.716	9758.58
Sept 3	ck			5000.00	4758.58
4	gas	26	238.00		4520.58
4	CASH			238.00	4758.58
5	6550 FC 2500 LF	2352	10064.04		14822.62
10	ck			5000.00	9822.62
11	Oil	19	4.716		9869.78
11	CASH			4.716	9822.62
13	Oil	49	24.00		9846.62
14	CASH			24.00	9822.62
18	ck			6000.00	3822.62
19	2400 FC 1700 LF	2267	4580.10		8402.72
23	ck			4000.00	4402.72
24	Oil	1	4.716		4449.88
24	CASH			4.716	4402.72
25	6550 FC 2500 LF	2274	10064.04		14466.76
27	ck			3000.00	11466.76
Aug 2	ck			4000.00	7466.76

CREDIT LIMIT

ADDRESS Box 100

TERMS

493-6375

Hacker Valley, WV 26222

Wrote letter #12/27/01

WILSON JONES FORM GN2-D N2-D	DATE 19 <u>90</u>	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
	Jan 1						232187
	26	15N40, Marjak MP2, Tusa S-Plus 650T Cyl Oil	10357	✓	X 725.66		3097.53
	31	1500 Diesel, 500 Kero.	23702	✓	X 1903.50		5001.03
FEB	8	CK				X 1810.46	3192.57
	22	CK				X 1903.50	1287.07
MAR	14	Oil	24839	✓	X 939.30		2226.57
APR	2	CK				X 939.30	1287.07
	25	2000 Diesel	23847	✓	X 1783.00		3070.07
MAY	11	Oil	22132	✓	X 620.38		3690.45
	17	CK				X 1783.00	1907.45
	24	CK				X 620.38	1287.07
JUN	21	Oil & Grease	05309	✓	X 674.80		1961.87
JUL	4	CK				X 674.80	1287.07
	10	2000 Diesel, Oil	27756	✓	X 1808.40		3095.47
	31	CK				X 1808.40	1287.07
AUG	20	Oil	22068	✓	X 428.98		1716.05
SEPT	6	CK				X 428.98	1287.07
	21	2000 Diesel	06609	✓	X 2394.00		3681.07
OCT	2	Oil & Grease	07604	✓	X 643.16		4324.23
	11	CK (Inv 06609)				X 2394.00	1930.23
	20	CK (Inv 07604) (4 boxes - The Mill)				X 643.16	1287.07
	29	Oil	08253	✓	X 648.50		1935.57
NOV	10	CK (Inv 08253)				X 648.50	1287.07
	26	1500 Diesel, 500 Kero, Oil	22302	✓	X 2837.26		4124.33
DEC	8	Oil	22312	✓	247.50		4371.83
	13	CK (Inv 22302)				X 2837.26	1534.57

CREDIT LIMIT Johnny or Lakin Critchfield

ADDRESS P.O. Box 1220

TERMS

Subtract 31,013.73

Clendenin, W V 25045

WILSON JONES FORM GN2-D N2-D	DATE 1970	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
	Jan 1						510137.3
	1	6000 LF 2700 Premium	22245		919440		4020813
	1	CK				919440	3101373
	25	4900 LG, 2700 P LG, 1100 Diesel	H 23120		944310		4035683
	25	CK				944310	3101373
	FEB 16	5300 LG, 2500 P LG, 900 Diesel ✓	H 23275		876930		3978303
	16	CK				876930	3101373
	MAR 7	6000 LG, 2700 P LG	23992		858730		3960093
	7	CK				858730	3101373
	30	6000 LG, 2700 P LG	24592		916910		4018283
	30	CK				916910	3101373
	APR 20	6000 LG, 2700 P LG	24896		917010		4018383
	20	CK				917010	3101373
	MAY 12	5600 LG, 2000 P LG, 1100 Diesel	H 24977		940810		4042183
	12	CK				940810	3101373
	31	6900 LG, 1800 P LG	25245		943105		4044478
	31	CK				943105	3101373
	JUN 22	4900 LG, 2700 P LG, 1100 Diesel	H 26861		954010		4055383
	23	CK				954010	3101373
	JUL 13	6000 LG, 2700 P LG	26884		943110		4044483
	13	CK				943110	3101373
	AUG 1	6000 LG, 2700 P LG	27803		960510		4061883
	1	CK				960510	3101373
	24	6000 LG, 2700 P LG	7344		1219860		4321233
	24	CK				1219860	3101373
	Sept 18	5000 LF 2700 PLF 1000 Diesel	H 25539		1182265		4283638
	18	CK				1182265	3101373
	Oct 11	8700 LG	25586		1193040		4296013

NAME

RATING

ADDRESS P.O. Box 1240

CREDIT LIMIT

Glendenin, W V 25045

TERMS

DATE	ITEMS	FOLO	DEBITS	CREDITS	BALANCE
19__					
NOV 10	5600 A.D, 2000 P.D.S, 1100 Diesel	H 07421	12070.40		43084.13
10	CK			* 12070.40	31013.73
NOV 5	6000 LE	06198	7818.00		28831.73
5	CK			* 7818.00	31013.73
27	4000 A.D, 2000 P.D.S, 1000 Diesel	H 07816	8311.00		39324.73
27	CK			* 8311.00	31013.73

SHEET NO. \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_

RATING \_\_\_\_\_

NAME Youngs' Service Station Texaco

CREDIT LIMIT \_\_\_\_\_

ADDRESS General Delivery

TERMS \_\_\_\_\_

Dille, WY 26627

WILSON JONES FORM GNE-D N2-D		DATE 1940	ITEMS	FOLIO /	DEBITO	CREDITS	BALANCE
		FEB 5	1500 LF 500 PLE	10420	2215 10		2215 10
		5	CK			2215 10	-0-
		23	1500 DZ 500 PLE DZ	10430	2121 10		2121 00
		23	CK			2121 00	-0-
		FEB 6	1500 DZ 500 PLE	22600	2146 00		2146 00
		6	CK			2146 00	-0-
		19	1500 DZ 500 PLE	24500	2027 00		2027 00
		19	CK			2027 00	-0-
		MAR 7	1500 DZ 500 PLE 55 KERO (S. STA)	22000	2108 00		2108 00
		7	CK			2108 00	-0-
		20	1100 DZ, 900 PLE, 176 90	24000	2083 70		2083 70
		20	CK			2083 70	-0-
		31	1500 DZ 500 PLE	20110	2102 00		2102 00
		31	CK			2102 00	-0-
		APR 13	1200 DZ 800 PLE	24870	2157 00		2157 00
		13	CK			2157 00	-0-
		26	1500 DZ 500 PLE	24130	2127 00		2127 00
		26	CK			2127 00	-0-
		MAY 10	1500 DZ 500 PLE	24660	2177 00		2177 00
		10	CK			2177 00	-0-
		24	1100 DZ, 900 PLE	24670	2277 00		2277 00
		24	CK			2277 00	-0-
		JUN 5	1500 DZ 500 PLE	22528	2247 00		2247 00
		5	CK			2247 00	-0-
		15	1100 LF 900 PLE	21903	2206 00		2206 00
		15	CK			2206 00	-0-
		30	1300 DZ 425 PLE Antiprene	15325	1938 80		1938 80
		30	CK			1938 80	-0-
		JUL 17	1500 DZ 500 PLE	26470	2161 00		2161 00
		17	CK			2161 00	-0-

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME Youngs' Service Station

RATING

ADDRESS General Delivery

CREDIT LIMIT

Dille, WV 26617

TERMS

DATE TO GO	ITEMS	POLIC	✓	DEBITS	CREDITS	BALANCE
JUL 30	1785 X3, 700 P23. Cancel	07801		270366		270366
30	CK				270366	-0-
AUG 11	1500 X3, 500 P23	07885		259600		259600
11	CK				259600	-0-
SEPT 4	1500 X3, 500 P23	07979		263400		263400
4	CK & cash				263400	-0-
17	1500 X3, 500 P23	07506		270400		270400
17	CK				270400	-0-
29	1500 X3, 500 P23, 500 P23 (corrected + em)	07531		295550		295550
29	CK				294050	1500
OCT 3	CK				1500	-0-
15	1500 X3, 500 P23	06737		281900		281900
15	CK				281900	-0-
31	1500 X3, 500 P23	08525		275900		275900
31	CK				275900	-0-
NOV 19	1500 X3, 500 P23	06186		271000		271000
19	CK				271000	-0-
DEC 14	2000 X3	07032		233600		233600
14	CK				233600	-0-
17	Credit Inv 07032 - priced incorrectly	01583			< 4000 >	< 4000 >

SHEET NO.

RATINGS

CREDIT LIMIT

TERMS

Willard M. Whorter

13 S. Main Ave.

Weston, WY 86452

269-7267

NAME

Whorter Enterprises

ADDRESS P.O. Box 447

June 1, 1967 26378

ACCOUNT NO.

"Point C Mart"

WILSON JONES FORM 6N2-D R2-D		DATE 10-30	ITEMS	POSD /	DEBITS	CREDITS	BALANCE
Jan	19	700 d.d., 800 P.d.d	27956		1643.50		1643.50
	19	CK				1643.50	-0-
Feb	9	500 LF 700 P.F	24532		1227.90		1627.90
	5	CK				1627.90	-0-
MAR	1	1500 P.d.d	24008		1644.00		1644.00
	1	CK				1644.00	-0-
	27	1500 d.d	23238		1516.50		1516.50
	27	CK				1516.50	-0-
Apr	27	600 LF 900 P.F	23848		1662.75		1662.75
	27	CK				1662.75	-0-
MAY	13	1500 X.B	24391		1632.75		1632.75
	18	CK				1632.75	-0-
JUN	17	500 d.d., 600 P.d.d	26153		1224.35		1224.35
	17	CK				1224.35	-0-
JUL	10	900 d.d., 600 P.d.d	27208		1623.00		1623.00
	16	CK				1623.00	-0-
AUG	6	900 d.d., 600 P.d.d	27355		1821.75		1821.75
	6	CK				1821.75	-0-
	23	900 d.d., 600 P.d.d	26110		2118.00		2118.00
	23	CK				2118.00	-0-
Oct	26	900 LF 600 P.F	18252		2086.50		2086.50
	26	CK				2086.50	-0-
NOV	21	900 d.d., 500 P.d.d	26192		1912.00		1912.00
	21	CK				1912.00	-0-
DEC	15	900 d.d., 600 P.d.d	27105		1782.00		1782.00
	15	CK				1782.00	-0-

MADE IN U.S.A.

# **Exhibit C**



1500 Chase Tower • 707 Virginia Street, E. • Charleston, WV 25301

Mailing Address: P.O. Box 2031 • Charleston, WV 25327

(304) 345-8900 • Fax: (304) 345-8909

[www.kaycasto.com](http://www.kaycasto.com)

May 3, 2022

**VIA TELEFAX: [(304)-926-0446]  
AND REGULAR U.S. MAIL**

Mr. Harold D. Ward  
Cabinet Secretary  
West Virginia Department of  
Environmental Protection  
601 57<sup>th</sup> Street SE  
Charleston, West Virginia 25304

RE: Notice of Request For Reconsideration Of "Order Issued Under Underground Storage Tank Act West Virginia Code, Chapter 22, Article 17" – Order No.: UST-22-005 – Issued On April 26, 2022

Dear Mr. Ward:

On behalf of J. C. Baker & Son, Inc. and Baker Oil Company (collectively "Baker"), and pursuant to West Virginia Code §22-17-15(b), I am hereby filing this notice of request for reconsideration of a certain "Order Issued Under Underground Storage Tank Act W.Va. Code, Chapter 22, Article 17" – Order No.: UST-22-005, issued by Katheryn Emery, P.E., Director of the Division of Water and Waste Management, West Virginia Department of Environmental Protection ("WVDEP"), on April 26, 2022 ("Order"). For your convenience of reference, a copy of the Order is attached to this correspondence.

In Paragraph No. 134 of the Order, it is stated:

On February 24, 2022, Baker's representative responded to WVDEP via email indicating that the USTs had been registered in an effort to be a good corporate citizen, and Baker did not register the USTs because it was the owner or operator.

Attached please find a copy of said email. Although Paragraph No. 134 of the Order mentions Baker's February 24, 2022 email to the WVDEP, and makes the comment that Baker had stated, in said email, "that the USTs had been registered in an effort to be a good corporate citizen, and [that] Baker did not register the USTs because it was the owner or operator," there was no analysis with regard to the detailed and well-reasoned position set forth in that email, as to why Baker should not be responsible for any of the underground storage tanks (USTs) at the twelve (12) sites which were the subject of the January 20, 2022 meeting and



the January 25, 2022 email to Baker from the WVDEP (see Paragraph Nos. 132 and 133 of the Order).

In its February 24, 2022 email to the WVDEP, Baker made five (5) specific points. Baker believes that it is only reasonable that you address these five (5) points in detail. Baker further believes that, if you do so, you will come to the conclusion that Baker is not responsible for any of the USTs at the twelve (12) sites which were the subject of the January 22, 2022 meeting and the January 25, 2022 email from the WVDEP to Baker.

Without totally reiterating each of the five (5) points set forth in Bakers' February 24, 2022 email to the WVDEP, I want to highlight one very important fact that you should take into account as part of your reconsideration of the Order. That fact is simply this: Just because an entity registers a UST does not mean said entity is the "owner" of that UST. In Washington Commons LLC v. Illinois Bell Telephone Co., 2005 WL 8179056 (N.D. Ill., July 11, 2005), the court noted that completing and submitting a registration form for a UST does not make the entity which did so the "owner" of that UST. The Washington Commons court further noted that the United States Environmental Protection Agency, in the mid 1980s, "had encouraged any party with knowledge of a UST, even those other than owners, to register" them. Baker responded to that encouragement and registered the USTs at the twelve (12) sites which were the subject of the January 20, 2022 meeting and the January 25, 2022 email from the WVDEP to Baker. That did **not** make Baker the "owner" of those USTs.

Also, it should be noted that the thirteenth (13<sup>th</sup>) site listed in the Order -- the Glenville Sunoco site in Glenville, Gilmer County, West Virginia ("Glenville Site") -- was not discussed at the January 22, 2022 meeting and was not mentioned in the January 25, 2022 email to Baker from the WVDEP. Moreover, Baker believes there are no remediation issues and/or problems at that Glenville Site. For those two reasons alone, Baker respectfully requests that you reconsider the Order which deals with the Glenville site.

Based upon all of the foregoing, Baker respectfully requests that you reconsider the Order and, after doing so, withdraw the Order based upon the fact that Baker is not responsible for any of the USTs at any of the twelve (12) sites which were discussed at the January 20, 2022 meeting and which were the subject of the January 25, 2022 email to Baker from the WVDEP, the fact that the Glenville Site was not discussed at the January 20, 2022 meeting and not mentioned in the January 25, 2022 email to Baker from the WVDEP, and the fact that there are no remediation issues and/or problems at the Glenville Site.

If you or any of your staff have any questions whatsoever about this request for reconsideration of the Order, you or them should not hesitate to call me at (304) 720-4217 or email me at [trodgers@kaycasto.com](mailto:trodgers@kaycasto.com).



Sincerely,

A handwritten signature in blue ink, appearing to read "R. Terrance Rodgers".

R. Terrance Rodgers

RTR/fsc

**VIA TELEFAX [(304) 926-0488] AND REGULAR U.S. MAIL**

cc: Katheryn Emery, P.E. (w/attachments)



west virginia department of environmental protection

Division of Water and Waste Management  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304-926-0470 Fax: 304-926-0488

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

April 26, 2022

J. C. Baker & Son, Inc.  
601 Elk Street  
Gassaway, WV 26624

**CERTIFIED RETURN RECEIPT REQUESTED**  
9489 0090 0027 6402 6081 23

**WV IDENTIFICATION NOs.: 4905543, 0100014,  
4905541, 5105713, 2102658, 0800440, 0407923, 5105709,  
2006691, 2102661, 3404188, 3405499, and 1108011**

And

Baker Oil Company  
P. O. Box 369  
Gassaway, WV 26624

Mr. Baker:

Enclosed is Order No. UST-22-005. This Order is issued to J. C. Baker & Son, Inc. and Baker Oil Company by the director of the Division of Water and Waste Management under the authority of Chapter 22, Article 17, Section 15 of the Code of West Virginia. This Order contains notification of the right of appeal under the provisions of Chapter 22, Article 17, Section 18.

  
Jeremy W. Randy  
Chief Inspector

cc: Kathryn Emery, P.E., Director, DWWM (e-mail)  
Scott G. Mandirola, Deputy Secretary for External Affairs, WVDEP (e-mail)  
Harold D. Ward, Cabinet Secretary, WVDEP (e-mail)  
Joseph Sizemore, Assistant Chief Inspector, EE/HW, Tanks (e-mail)  
David C. Simmons, Assistant Chief Inspector, EE (e-mail)  
Laura McGee, Environmental Resources Program Manager, EE (e-mail)  
Cindy Blugerman, Environmental Resources Specialist, EE (e-mail)  
Amaris Elliott, Environmental Resources Associate, EE (e-mail)  
Ruth M. Porter, Program Manager, EE/Tanks (e-mail)  
Melissa McCune, Program Manager, EE/Tanks Corrective Action (e-mail)  
Randal Lemons, Environmental Resources Analyst, EE/Tanks Corrective Action (e-mail)  
Andrew Dinsmore, US EPA, Region III (e-mail)



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**west virginia department of environmental protection**

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Division of Water and Waste Management  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304-926-0470 Fax: 304-926-0488

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

**ORDER  
ISSUED UNDER THE  
UNDERGROUND STORAGE TANK ACT  
WEST VIRGINIA CODE, CHAPTER 22, ARTICLE 17**

**TO:** J. C. Baker & Son, Inc.  
601 Elk Street  
Gassaway, WV 26624

**DATE:** April 26, 2022

**ORDER NO.:** UST-22-005

And

Baker Oil Company  
P.O. Box 369  
Gassaway, WV 26624

**INTRODUCTION**

The following findings are made and Order issued to J. C. Baker & Son, Inc. and Baker Oil Company (hereinafter "Baker") pursuant to the authority vested in the Director of the Division of Water and Waste Management under Chapter 22, Article 17, Section 1 et seq. of the Code of West Virginia.

**FINDINGS OF FACT**

In support of this Order, the Director hereby finds the following:

1. As the owner and/or operator of Underground Storage Tanks (USTs) at the time of releases from the USTs, Baker is the responsible party for confirmed releases at the following thirteen (13) facilities. The USTs at these sites are permanently out of service (POS) and were removed by Baker.
  - a. Linger's Service Station located in Upshur County, WV was issued Leak No. 92-289-L49 on December 14, 1992. The Facility ID is 4905543.
  - b. Paul's Service Station located in Barbour County, WV was issued Leak No. 92-306-L01 on December 12, 1992. The Facility ID is 0100014.
  - c. Coastal Lumber Company located in Upshur County, WV was issued Leak No. 95-021 on February 7, 1995. The Facility ID is 4905541.

Promoting a healthy environment.

- d. Hamrick Service Station located in Webster County, WV was issued Leak No. 93-034 on February 5, 1993. The Facility ID is 5105713.
- e. W. J. Princes Store located in Lewis County, WV was issued Leak No. 93-378 on December 8, 1993. The Facility ID is 2102658.
- f. Sample's Service Station located in Clay County, WV was issued Leak No. 92-074-L08 on April 7, 1992. The Facility ID is 0800440.
- g. Steve White Service Station located in Braxton County, WV was issued Leak No. 91-036-L04 on June 17, 1991. The Facility ID is 0407923.
- h. Coastal Lumber Company located in Webster County, WV was issued Leak No. 91-075-L51 on August 20, 1991. The Facility ID is 5105709.
- i. Clendenin Service Station located in Kanawha County, WV was issued Leak No. 91-008-L20 on February 28, 1991. The Facility ID is 2006691.
- j. Point C Mart located in Lewis County, WV was issued Leak No. 94-035 on March 1, 1994. The Facility ID is 2102661.
- k. Young's Service Station located in Nicholas County, WV was issued Leak No. 94-066 on April 13, 1994. The Facility ID is 3404188.
- l. C Adam Toney Tire located in Nicholas County, WV was issued Leak No. 94-056 on March 30, 1994. The Facility ID is 3405499.
- m. Glenville Sunoco located in Gilmer County, WV was issued Leak No. 17-034 on October 11, 2017. The Facility ID is 1108011.

**Leak No. 92-289-L49-Linger's Service Station**

- 2. An April 1, 1986 UST notification form shows the USTs as currently in use (CIU) and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
- 3. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification from was signed by Michael C. Baker.
- 4. On December 14, 1992, West Virginia Department of Environmental Protection (WVDEP) personnel were notified of a release at Linger's Service Station. In response to the release, WVDEP issued a Confirmed Release Notice to Comply (CRNC) to Baker, which assigned Leak No. 92-289-L49 to the release and required that a Site Assessment be performed.
- 5. A March 10, 1993 UST notification shows the USTs as permanently out of service (POS) and the UST owner as Baker Oil Company. The notification was signed by Michael C. Baker.
- 6. On April 27, 1995, Order USTA-193-94 became effective. The Order required Baker, as the owner of the USTs, to implement corrective action in accordance with Code of Federal Regulations 40CFR280.
- 7. On February 11, 2008, WVDEP sent a Review of Confirmed Release (RCR) to Baker, which required submittal of a Corrective Action Plan (CAP) on or before April 15, 2008. Baker failed to submit the CAP.

8. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
9. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental Site Assessment Report on or before September 30, 2016. Baker failed to submit the SSAR.
10. On April 12, 2018, WVDEP sent an RCR to Baker, which required submittal of a Supplemental Site Assessment by June 11, 2018. Baker failed to submit the required report.
11. On March 26, 2019, WVDEP sent an RCR to Baker, which required the submittal of a Site Assessment Work Plan (SAWP) by April 26, 2019. Baker failed to submit the SAWP.
12. On May 3, 2019, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, Notice of Violation (NOV) No. 2019-01452 was issued to Baker.

13. On June 4, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, Inspection of Violation (IOV) No. 2019-01452 was issued to Baker.

**Leak No. 92-306-L01 Paul's Service Station**

14. An April 25, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
15. On December 12, 1992, WVDEP personnel were notified of a release at Paul's Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 92-306-L01 to the release and required that a Site Assessment be performed.
16. A February 5, 1993 UST notification form shows the USTs as POS and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
17. On June 8, 2011, WVDEP sent an RCR to Baker, which required submittal of a CAP on or before August 30, 2011. Baker failed to submit the CAP

18. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
19. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of an SAR and CAP on or before December 31, 2016. Baker failed to submit the SAR or CAP.
20. On March 26, 2019, WVDEP sent an RCR to Baker, which required submittal of a SAWP by April 26, 2019. Baker failed to submit the SAWP.
21. On May 3, 2019, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV, No. 2019-01449 was issued to Baker.

22. On June 4, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR 280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, IOV No. 2019-01449 was issued to Baker.

**Leak No. 95-021 Coastal Lumber Company: Buckhannon**

23. A May 1, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
24. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
25. On May 6, 1992 and August 11, 1992, WVDEP personnel received UST closure requests.
26. On February 7, 1995, WVDEP personnel were notified of a release at Coastal Lumber Company. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 95-021 to the release and required that a Site Assessment be performed.
27. On June 8, 2011, WVDEP sent an RCR to Baker, which required submittal of a CAP on or before August 30, 2011. Baker failed to submit the CAP.
28. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.

29. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of an SAR on or before December 31, 2016. Baker failed to submit the SAR.
30. On March 12, 2018, WVDEP sent an RCR to Baker, which required the submittal of a Supplemental SAR by May 11, 2018. Baker failed to submit the Supplemental SAR.
31. On May 17, 2018, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.34 - Baker failed to cooperate with requests for document submission, testing, and/or monitoring.

As a result of this violation, NOV No. 1805-3400 was issued to Baker.

32. On January 31, 2019, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR 280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2019-00483 was issued to Baker.

33. On March 26, 2019; May 3, 2019; and June 4, 2021; WVDEP personnel reviewed the facility file. During the reviews, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, IOV No. 2019-00483 was issued to Baker.

#### **Leak No. 93-034 Hamrick Service Station**

34. An April 23, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
35. On February 11, 1993, WVDEP personnel were notified of a release at Hamrick Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 93-034 to the release and required that a Site Assessment be performed.
36. An April 30, 1993 UST notification form shows the USTs as POS and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
37. On March 24 1997, a consent order issued to Baker Oil Company by the Environmental Protection Agency became effective. The consent order identifies Baker Oil Company as the respondent and responsible for applicable UST compliance activities.

38. On April 21, 2008, WVDEP sent an RCR to Baker, which required submittal of a Groundwater Monitoring Report (GMR) on or before May 21, 2008. Baker failed to submit the GMR.
39. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
40. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a SAR on or before June 30, 2016. Baker failed to submit the SAR.
41. On August 8, 2018, WVDEP sent an RCR to Baker, which required the submittal of an Initial Site Characterization Report (ISCR) by October 2, 2018. Baker failed to submit the ISCR.
42. On November 11, 2018, WVDEP personnel reviewed the facility file. During the review, the following violations of the Code of Federal Regulations were observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).
  - b. 40CFR280.63(b) - Baker failed to submit a report on initial site characterization that met the minimum requirements of 280.63(a)(1) through 280.63(a)(4).

As a result of these violations, NOV Nos. 1811-3808 and 1811-3809 were issued to Baker.

43. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Subsequently, Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. However, Baker failed to submit the required report.
44. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site and the surrounding area possibly affected by the release as per requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, IOV No. 2018-00094 was issued to Baker.

**Leak No. 93-378 W J Prince's Store**

45. An April 21, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
46. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU

and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.

47. On December 8, 1993, WVDEP personnel were notified of a release at W J Prince's Store. In response to the release, WVDEP issued a CRNC, which assigned Leak No. 93-378 to the release and required that a Site Assessment be performed.
48. A February 2, 1994 UST notification form shows the USTs as POS and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
49. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
50. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of an SAR on or before December 31, 2016. Baker failed to submit the SAR.
51. On March 26, 2019, WVDEP sent an RCR to Baker, which required submittal of a SAWP by April 26, 2019. Baker failed to submit the SAWP.
52. On May 3, 2019, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2019-01450 was issued to Baker.

53. On June 4, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, IOV No. 2019-01450 was issued to Baker.

**Leak No. 92-074-L08-Sample's Service Station**

54. An April 17, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
55. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
56. On April 7, 1992, WVDEP personnel were notified of a release at Sample's Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 92-074-L08 to the release and required that a Site Assessment be performed.

57. A May 5, 1992 UST notification form shows the USTs as POS and the UST owner as J.C. Baker & Son, Inc. The notification form was signed by Michael C. Baker.
58. On October 24, 2002, WVDEP sent an RCR to Baker, which required submittal of an SAR on or before December 23, 2002. Baker failed to submit the SAR.
59. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
60. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental SAR on or before June 30, 2016. Baker failed to submit the SAR.
61. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report (SIR) by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
62. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV, No. 2021-01437 was issued to Baker.

**Leak No. 91-036-L04 -Steve White Service Station**

63. On June 17, 1991, WVDEP personnel were notified of a release at Steve White Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 91-036-L04 to the release and required that Tank Closure and Site Assessment be performed.
64. On November 19, 1991, WVDEP issued Order No. USTA-116-91, which required that Baker pay past due fees and submit a Closure Report and SAR on or before January 18, 1992. Baker subsequently submitted the required documents.
65. A March 15, 1992 UST notification form shows the USTs as POS and the UST owner as J.C. Baker & Son, Inc. The notification form was signed by Michael C. Baker.
66. On March 31, 1992, WVDEP sent an RCR to Baker, which required an additional SAR on or before May 29, 1992. Baker failed to submit the additional SAR.
67. On October 17, 2013, WVDEP responded to Baker's plan to move forward systematically in regard to the remaining leaking UST sites and required submittal of a full site investigation by March 31, 2014.
68. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.

69. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of Supplemental SAR on or before December 31, 2016. Baker failed to submit the SAR.
70. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
71. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2021-01436 was issued to Baker.

**Leak No. 91-075-L51-Coastal Lumber Company; Hackers Valley**

72. An April 15, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
73. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
74. On August 20, 1991, WVDEP personnel were notified of a release at Coastal Lumber Company. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 91-075-L51 to the release and required that a Site Assessment be performed.
75. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
76. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental SAR on or before March 31, 2016. Baker failed to submit the SAR.
77. On August 3, 2018, WVDEP sent an RCR to Baker, which required the submittal of an ISCR by October 2, 2018. Baker failed to submit the ISCR.
78. On November 14, 2018, WVDEP personnel reviewed the facility file. During the review, the following violations of the Code of Federal Regulations were observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).
  - b. 40CFR280.63(b) - Baker failed to submit a report on initial site characterization that met the minimum requirements of 280.63(a)(1) through 280.63(a)(4).

As a result of these violations, NOV Nos. 1811-3806 and 1811-3807 were issued to Baker.

79. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
80. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2018-00095 was issued to Baker.

**Leak No. 91-008-L20-Clendenin Service Station**

81. A June 9, 1989 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Mike Baker.
82. On February 28, 1991, WVDEP personnel were notified of a release at Clendenin Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 91-008-L20 to the release and required that a Site Assessment be performed.
83. On October 24, 2002, WVDEP sent an RCR to Baker, which required submittal of an SAR on or before December 23, 2002. Baker failed to submit the report.
84. On March 26, 2003, WVDEP sent a Notice of Non-Compliance for failure to submit the SAR. The Notice required submittal of the report on or before April 25, 2003. Baker failed to submit the report.
85. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
86. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental SAR on or before December 31, 2015. Baker failed to submit the SAR.
87. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of an SIR by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
88. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2021-01172 was issued to Baker.

**Leak No. 94-035, Point C Mart**

89. An April 10, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
90. On March 1, 1994, WVDEP personnel were notified of a release at Point C Mart. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 94-035 to the release and required that a Site Assessment be performed.
100. An August 11, 1995 UST notification form shows the USTs as POS and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
101. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
102. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of Free Product Recovery, Site Assessment, and submittal of an SAR on or before December 31, 2015. Baker failed to submit the SAR.
103. On May 17, 2018, WVDEP sent an RCR to Baker, which required the submittal of a Supplemental SAR by July 16, 2018. Baker failed to submit the Supplemental SAR.
104. On January 31, 2019 and March 15, 2019, WVDEP personnel reviewed the facility file. During the reviews, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2019-00484 was issued to Baker.

105. On April 26, 2019, WVDEP personnel received an SAR for the site. As a result, IOV No. 2019-00484 was issued to Baker, which abated NOV No. 2019-00484.
106. On May 2, 2019, WVDEP sent an RCR to Baker, which required submittal of a GMR and/or a CAP by July 26, 2019. Baker failed to submit the required report or CAP.
107. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
108. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:

- a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2019-00484 was issued to Baker.

**Leak No. 94-066-Young's Service Station**

109. An April 12, 1986 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
110. An April 10, 1987 UST notification form shows the USTs as CIU and the UST owner as J. C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
111. A May 23, 1990 letter from Baker Oil Company indicated the purchase of several USTs from J. C. Baker & Sons. The enclosed UST notification form showed the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
112. An October 25, 1991 UST notification form shows the USTs as CIU and the UST owner as Baker Oil Company. The notification form was signed by Michael C. Baker.
113. On April 13, 1994, WVDEP personnel were notified of a release at Young's Service Station. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 94-066 to the release and required that a Site Assessment be performed.
114. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension
115. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of a Site Assessment and submittal of a Supplemental SAR on or before March 31, 2016. Baker failed to submit the SAR.
116. On June 2, 2021, WVDEP sent an RCR to Baker, which required submittal of a Site Investigation Report by June 30, 2021. Baker requested a forty-five (45) day extension, which was granted until August 16, 2021. Baker failed to submit the required report.
117. On August 22, 2021, WVDEP personnel reviewed the facility file. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2021-01438 was issued to Baker.

**Leak No. 94-056-C Adam Toney Tire**

118. A June 28, 1993 UST notification form shows two (2) USTs as CIU and one (1) UST as POS and the UST owner as J.C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.

119. On March 30, 1994, WVDEP personnel were notified of a release at C Adam Toney Tire. In response to the release, WVDEP issued a CRNC to Baker, which assigned Leak No. 94-056 to the release and required that a Site Assessment be performed.
120. On July 15, 2015, Baker's consultant provided a remediation schedule, progress update, and request for extension.
121. On October 14, 2015, WVDEP provided an extension to Baker, which required the performance of Groundwater Monitoring and submittal of a GMR on or before June 30, 2016. Baker did submit the GMR.
122. On October 22, 2020, WVDEP sent an RCR to Baker, which required submittal of a GMR by November 30, 2020. Baker replied that the site had been transferred to Go-Mart but did not provide documentation of the transfer.
123. On June 2, 2021 and September 22, 2021, WVDEP personnel reviewed the facility file. During the reviews, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 2021-00871 was issued to Baker.

**Leak No. 17-034- Glenville Sunoco**

124. A December 2, 1991 UST notification form shows seven (7) USTs as CIU and the UST owner as J.C. Baker & Sons, Inc. The notification form was signed by Michael C. Baker.
125. On October 11, 2017, WVDEP personnel were notified of a release at Glenville Sunoco. In response to the release, WVDEP issued a CRNC to J C Baker & Sons, which assigned Leak No. 17-034 to the release and required that a Site Assessment be performed.
126. On May 21, 2018, WVDEP personnel reviewed the facility file and determined that two (2) extensions had been granted to Baker to perform the Site Assessment, which had not been completed. During the review, the following violation of the Code of Federal Regulations was observed and documented:
  - a. 40CFR280.65(a) - Baker failed to appropriately conduct investigations of the release, the site, and the surrounding area possibly affected by the release, as per the requirements of 280.65(a)(1) through 280.65(a)(5).

As a result of this violation, NOV No. 1805-3601 was issued to Baker.

127. On November 2, 2018, Baker submitted a Site Assessment Report.
128. On February 28, 2019, WVDEP sent an RCR to Baker, which required submittal of an additional Supplemental SIR by April 15, 2019. Baker submitted the Supplemental SIR on September 9, 2019.

129. On September 20, 2019, WVDEP sent an RCR to Baker, which required quarterly monitoring at the site. Subsequent quarterly monitoring reports were received on December 9, 2019; February 10, 2020; May 29, 2020; and September 8, 2020.
130. An August 20, 2020 UST closure authorization was issued to J C Baker & Son, Inc. to permanently close four (4) USTs at the site
131. On December 20, 2021, WVDEP sent an RCR to Baker, which required submittal of an additional Supplemental SIR by April 1, 2022.
132. On January 20, 2022, a meeting was held between WVDEP and Baker. During the meeting, Baker representatives stated that Baker was not responsible for remediation at twelve (12) of the thirteen (13) leak sites, because it was not and had never been the owner and/or operator of the USTs. Furthermore, the representatives stated that Baker had registered the USTs only to comply with initial UST registration requirements and to gain access to the properties. In response, WVDEP stated that, based upon an extensive review of the files, Baker was the owner of the USTs and is the responsible party for each of the thirteen (13) releases.
133. On January 25, 2022, WVDEP sent an email to Baker, which summarized the aforementioned January 20, 2022 meeting and requested that Baker provide a Plan of Corrective Action (POCA) to address the open leak sites.
134. On February 24, 2022, Baker's representative responded to WVDEP via email indicating that the USTs had been registered in an effort to be a good corporate citizen, and Baker did not register the USTs because it was the owner or operator.

### ORDER FOR COMPLIANCE

And now, this day of April 26, 2022, Baker is hereby ORDERED by the Director as follows:

1. Baker shall immediately take measures to initiate compliance with all pertinent laws and rules.
2. Within thirty (30) days of the effective date of this Order, Baker shall submit for approval a proposed plan of corrective action and schedule, outlining action items and completion dates for remedial activities on how and when Baker will achieve compliance with all pertinent laws and rules. The plan of corrective action shall make reference to WV Leak ID Nos. 92-289-L49, 92-306-L01, 95-021, 93-034, 93-378, 92-074-L08, 91-036-L04, 91-075-L51, 91-008-L20, 94-035, 94-066, 94-056, and 17-034, and Order No. UST-22-005. The plan of corrective action shall be submitted to:

**Chief Inspector  
Environmental Enforcement - Mail Code #031328  
WVDEP  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304**

Upon approval, the plan of corrective action and schedule shall be incorporated into and become part of this Order, as if fully set forth herein. Failure to submit an approvable plan of corrective action and schedule or failure to adhere to the approved schedule is a violation of this Order.

#### **OTHER PROVISIONS**

1. Compliance with the terms and conditions of this Order shall not in any way be construed as relieving Baker of the obligation to comply with any applicable law, permit, other order, or any other requirement otherwise applicable. Violations of the terms and conditions of this Order may subject Baker to additional enforcement action in accordance with the applicable law.
2. The provisions of this Order are severable and should a court or board of competent jurisdiction declare any provisions to be invalid or unenforceable, all other provisions shall remain in full force and effect.
3. This Order is binding on Baker, its successors and assigns.
4. This Order shall terminate upon Baker's notification of full compliance with the "Order for Compliance" and verification of this notification by WVDEP.

#### **RIGHT OF APPEAL**

Notice is hereby given of your right to appeal the terms and conditions of this Order which you are aggrieved to the Environmental Quality Board by filing a NOTICE of APPEAL on the form prescribed by such Board, in accordance with the provisions of Chapter 22, Article 17, Section 18 of the Code of West Virginia within thirty (30) days after receipt of this Order.

This Order shall become effective upon receipt.



---

Katheryn Emery, P.E., Director  
Division of Water and Waste Management

---

**From:** MICHAEL BAKER <michaelcbaker@hotmail.com>  
**Sent:** Thursday, February 24, 2022 2:54 PM  
**To:** joe.m.sizemore@wv.gov  
**Subject:** Response to January 25th, 2022 email  
**Attachments:** Letter from Michael C. Baker-J.C. Baker Son, Inc. to 'Customer' - dated 04-10-86 (01619648xA377B).pdf; 01-31-94 and 08-21-96 Letters (01685329xA377B) (1).pdf; Invoices (8) Customers (01684530xA377B).pdf; Ledger Sheets (11 sites) (01685066xA377B).pdf

**Follow Up Flag:** Copied to Worldox (Main Docs\0126405\000055\01685984.MSG)

[Caution, External Email]

Mr. Sizemore,

In your January 25, 2022 email to me below, you asked that I provide a response, on behalf of J.C. Baker & Son, Inc. ("Baker"), to the West Virginia Department of Environmental Protection's ("WVDEP") concerns with regard to the following 12 sites:

1. Linger's service station site in Buckhannon (Leak No. 92-289-L49);
2. Paul's service station site in Philippi (Leak No. 92-306-L01);
3. Coastal Lumber Company site in Buckhannon (Leak No. 95-021);
4. Hamrick's service station site in Webster Springs (Leak No. 93-034);
5. W.J. Prince's service station site in Jane Lew (Leak No. 93-378);
6. Sample's service station site in Prociuous (Leak No. 92-074-L08);
7. Steve White's service station site in Gassaway (Leak No. 91-036-L04);
8. Coastal Lumber Company site in Hacker Valley (Leak No. 91-075-L51);
9. Clendenin service station site in Clendenin (Leak No. 91-008-L20);
10. Young's service station site in Dille (Leak No. 94-066);
11. C. Adam Toney Discount Tires site in Summersville (Leak No. 94-056); and
12. Point C Mart site in Weston (Leak No. 94-035).

First, as I have informed the WVDEP previously, Baker registered the underground storage tanks located at 11 of the 12 sites because the individuals and/or entities who truly were required to do so, failed to do so. Baker registered those underground storage tanks in an effort to be a good corporate citizen. Attached please find my April 10, 1986 letter which was sent to the individuals or entities who should have been registering the underground storage tanks located at those 11 sites. As I believe I have told the WVDEP before, none of those individuals or entities responded to that letter and, thus, Baker, in an effort to comply with the new federal law mentioned in that letter, registered the underground storage tanks located at those 11 sites. Baker did not register those underground storage tanks because it was either the "owner" or "operator" of them. Instead, it did so because the regulatory authorities wanted anyone who was aware of any underground storage tanks to register them, even if not the "owner" or "operator" of those underground storage tanks. To be clear, by registering the underground storage tanks located at those 11 sites, Baker never intended to represent that it was either the "owner" or "operator" of them.

There is one site – the Paul's service station site in Philippi – for which Baker may have been the "owner" but certainly not the "operator" of the underground storage tanks located at that site. However, even though Baker removed the underground storage tanks it installed at that site, it contested that it was

responsible for clean-up or monitoring at that site. As evidence of the same, attached please find a copy of my January 31, 1994 letter to Art Loder, of the WVDEP, and Ron Howe's August 21, 1996 letter to Don Martin, of the WVDEP. As you can see, Baker specifically requested that the WVDEP provide a written statement as to why Baker was somehow responsible for the Paul's service station site in Philippi, especially in light of the fact that there are numerous other more likely sources of whatever contamination there may be, including the West Virginia Department of Highways release. No such written statement was ever forthcoming from the WVDEP.

Second, just because Baker had the underground storage tanks and contaminated soil at 11 of the 12 sites removed in the 1990s, does not mean that Baker somehow became the "owner" or "operator" of those underground storage tanks (Coastal Lumber Company removed the underground storage tanks at the site located in Hacker Valley in Webster County). Instead, what that means is that Baker was trying to be a good corporate citizen.

Third, the fact that Baker has continued to try to be responsive to the WVDEP after the removal of underground storage tanks and the removal of contaminated soil in the 1990s, does not somehow make Baker the "owner" or "operator" of the underground storage tanks at the 12 sites (except maybe the Paul's service station site in Philippi). Once again, all Baker was trying to do was be a good corporate citizen.

Fourth, at this time, Baker simply does not have the resources to continue to be the good corporate citizen it has been previously regarding the underground storage tanks at the 12 sites. As I have mentioned before, the WVDEP simply needs to look to the individuals or entities who were the actual "owners" and/or "operators" of the underground storage tanks at 11 of those 12 sites. Also, as to the Paul's service station site in Philippi, because the WVDEP has never responded to what Baker pointed out to the WVDEP in the mid-1990s about Baker not being responsible for that site, the WVDEP needs to look to the individuals or entities who actually owned and/or operated the Paul's service station site in Philippi, as well as the West Virginia Department of Highways (as effectively suggested in my January 31, 1994 letter to Art Loder and Ron Howe's August 21, 1996 letter to Don Martin). As evidence of who those individuals and/or entities are, attached please find a copy of certain Baker invoices and a copy of certain Baker ledger sheets. There are invoices for 8 of the 12 sites and the ledger sheets for 11 of the 12 sites.

Fifth, as the attached invoices and ledger sheets show, Baker's only connection to the underground storage tanks at the 12 sites (except maybe the Paul's service station site in Philippi), was that it delivered petroleum products to the "owner" and/or "operator" of the underground storage tanks at those sites. Once delivered by Baker, that petroleum product became the property of the individual or entity listed on the attached invoices and ledger sheets (including the individual or entity who actually owned or operated the Paul's service station site in Philippi).

As stated above and as I told you when we met, Baker simply does not have the resources to be the good corporate citizen it has been for the last 30 years or so. To be clear, Baker never was the "owner" or "operator" of the underground storage tanks located at 11 of the 12 sites and, accordingly, it was not and is not responsible for clean-up or monitoring at any of those sites. Moreover, even if Baker was the "owner" or "operator" of the underground storage tanks at the Paul's service station site in Philippi, the WVDEP's lack of response to my January 31, 1994 letter to Art Loder, of the WVDEP, as well as its total lack of response to Ron Howe's August 21, 1996 letter to Don Martin, clearly means that the WVDEP does not have any real basis for even trying to claim that Baker is responsible for the Paul's service station site in Philippi. If, for some reason, you and/or somebody else at WVDEP disagrees, please let me know the basis of that disagreement.

Michael C. Baker

President  
J.C. Baker & Son, Inc. \_

John C. Baker  
John Paul Baker  
Gen. C. Baker

**J. C. Baker and Sons, Inc.**  
Wholesale Distributors of  
Gasoline, Oil, Tires, and Batteries  
Cassaway, West Virginia 26624

Phones:  
Cassaway 364-5114  
Summersville 872-1799

April 10, 1986

Dear Customer:

A new Federal law directs the Environmental Protection Agency (EPA) to develop a comprehensive regulatory program for underground storage tanks. As part of the new law, owners of certain underground tanks used to store petroleum or hazardous substances must notify designated state or local agencies of the existence of their tanks by May 8, 1986. This requirement applies to owners of tanks currently used to store such substances and owners of tanks taken out of operation after January 1, 1974, but still remaining in the ground. Owners who bring tanks into use after May 8, 1986, must notify the appropriate state or local agency within 30 days.

The purpose of this required notification program is to assist EPA and the States in locating and evaluating underground storage tanks. EPA's regulations concerning owners of the underground storage tanks are enclosed.

Please take the time to complete these notifications and send them to me no later than April 24, 1986.

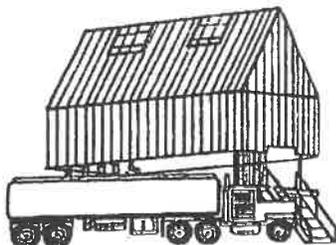
Sincerely,

*Michael C. Baker*

Michael C. Baker

MCB/sf

Enc.



## Baker Oil Company

Terminalling of Petroleum Products

Main Office - P. O. Box 369

Cassatony, West Virginia 26624

Phones:

Montgomery (304) 442-2438

Cassatony (304) 364-5114

Cassatony 1-800-288-5114

Fax 304-364-8681

January 31, 1994

Mr. Art Loder  
West Virginia Division of Environmental Protection  
UST Section  
1304 Goose Run Road  
Fairmont, West Virginia 26554

Re: Paul's Service Center, Rt. 1, Box 66, Philippi, WV  
WV ID# 0100014, Leak ID# 92-306-L01.

Dear Mr. Loder:

In 1976 I installed three (3) underground storage tanks at the above referenced facility. I later installed two (2) more underground storage tanks for diesel and kerosene in 1984 and 1985. On January 13, 1994, the West Virginia Division of Environmental Protection forwarded the enclosed letter requesting that I prepare a corrective action plan for responding to contaminated soil at the site. The purpose of this letter is to request some clarification from the Division of Environmental Protection concerning the factual and legal basis for requesting a corrective action plan.

By way of background, the site has been used as a gasoline dispensing facility for approximately fifty (50) years. From the late 1950's through the early 1970's, the site was a branded Texaco outlet supplied by a Texaco distributor based in Elkins. Previous to that, the site was supplied by various different suppliers.

While I have complied with the Division of Environmental Protection's request for initial abatement and initial site characterization at the site, it does not appear now, nor has it ever, that the contamination existing at the site is derived from USTs that I owned or operated. There has been motor fuel storage and dispensing from the site since circa 1940. A number of USTs have been installed and replaced during this period. In short, the contamination currently existing at the site could have resulted from any one or more of a number of sources, including spills, overfills, and leaking underground storage tanks over a period of fifty years.

(2)

In 1991 there was a release by the West Virginia Department of Highways of 2000 gallons of diesel fuel that directly impacted the site. No clean-up measures were taken at the site. I am aware of nothing to indicate that the USTs that I installed and later removed caused the contamination at the site.

As far as I am aware, there has been no formal determination by the Division of Environmental Protection that any of the contamination currently existing at the site emanated from the USTs that I installed. Your letter of January 13, 1994 contains no such determination and correspondingly, sets forth no grounds upon which you have concluded that I am a "responsible party" under any federal or state statute or regulation. Nor is there any indication in your letter that I have violated any state or federal law. It is primarily for this reason that I seek some clarification of the factual and legal basis for your request that I prepare a correction action plan.

Please note in this regard that if I am, in fact, responsible for the contamination existing at the site, I will make every effort to comply within my responsibilities under the law, whether they relate to investigation or remediation. My difficulty with your letter of January 13, 1994, lies not in my unwillingness to comply with my responsibilities, but with an honest disagreement as to whether I am in fact responsible.

The site still has underground storage tanks abandoned by previous operators or suppliers. These USTs may contain product to this day that is leaching out slowly into the ground at the site. As far as I am aware, the Division of Environmental Protection has not addressed the issue of these abandoned USTs or the consequences of the contamination they may be causing.

I would greatly appreciate it, therefore, if you would provide me with a statement of whether the Division of Environmental Protection has determined that I am responsible for cleaning up the site, and if so, an explicit statement of the grounds upon which you contend the existing contamination emanated from the USTs that I installed. Upon receiving this information, I will provide you with a prompt response concerning my future course of action; that is, whether I will enter into an agreed order for cleaning up the site or file a contested case petition.

I look forward to your response.

Sincerely,

*Michael C. Baker*

Michael C. Baker  
Vice President

MCB/s  
Enclosure



ALLEGHENY ENVIRONMENTAL TECHNOLOGY

96 W. Main Street + Frostburg, MD 21532

August 21, 1996

Mr. Don Martin  
West Virginia Division of:  
Environmental Protection  
Route 20 South P.O. Box 38  
French Creek, WV 26218

COPY

Re: Paul's Service Station  
Rt. 119 South  
Philippi, WV  
WV ID # 0100014  
Leak # 92-306-L01

Dear Mr. Martin:

Mr. Michael Baker of J.C. Baker & Sons has asked AET to prepare this letter regarding the status of the Paul's Service Station site in response to our conversation of July 19, 1996.

On January 31, 1994, Mr. Baker wrote a letter to the WVDEP in response to a request by the WVDEP (dated January 13, 1994) for a corrective action plan for the above mentioned site. In his letter he raised several concerns relating to the assignment of responsibility for this site and requested clarification.

As of today, those concerns remain unanswered. In summary, they are as follows.

The site has been used as a gasoline dispensing facility for over fifty (50) years (circa 1940). From the late 1950's through the early 1970's the site was a branded Texaco outlet supplied by a Texaco distributor based in Elkins. Previous to that the site was supplied by a variety of different suppliers. In 1976, Baker Oil installed three (3) underground storage tanks (UST's) at the site, and

two (2) more UST's in 1984 and 1985, all of which were subsequently removed on May 6, 1992.

During this 50 year history of petroleum usage and storage at the site, a number of UST's have been installed and replaced, and undoubtedly a number of them have leaked. There have also been overfills and spills at the site, some of them major, including a release by the West Virginia Department of Highways in 1991 of 2000 gallons of diesel fuel that directly impacted the site. In addition, the site still contains old UST's, abandoned by previous operators or suppliers, which may still contain product and which to this day may still be contaminating the site.

In short, while Baker Oil complied with the WVDEP's request for initial abatement measures and an initial site characterization at the site, they remain unconvinced that the contamination identified at the site was the result, either wholly or in part, of the five (5) UST's that the Bakers had installed at the site. There have been too many other known and possible sources of contamination to single out these without a platform of solid evidence.

As far as we are aware, there has been no formal determination by the WVDEP that any of the contamination identified at the site is the result of the five Baker UST's. The Bakers have received no such determination nor have they received any indication that they have violated any state or federal law. In addition, as far as we are aware, the WVDEP has not addressed the issue of the abandoned UST's remaining at the site or the consequences of the contamination they may still be causing. It is primarily for these reasons that Mr. Baker wrote the letter of January 31, 1994, to seek clarification of the factual and legal basis for your request for a corrective action plan.

In conclusion, Mr. Baker believes many other potential sources of contamination are present at the site. How can the WVDEP single out J. C. Baker & Sons, Inc. as the only party responsible for any clean up? Until the abandoned tanks and other potential sources of contamination are addressed it would be impossible to accurately assess the site. In fact, Mr. Baker tells me that during an attempt to assess the site they encountered yet another tank he has absolutely no connection to. My client, Mr. Baker, feels he has done all he can do given these circumstances.

As always, if you have any questions concerning this submittal or require further information please contact me at (301) 689-8808. AET thanks you for your attention to this matter and looks forward to your comments.

AET-Pauls SC-8/96

Page # 3

Sincerely,



Ron Howe  
AET Corp.

cc: Mr. Michael Baker, J. C. Baker & Sons Inc., Gassaway, WV  
Mr. Art Loder, WVDEP, Fairmont, WV

To

Name

*Lynch*

Address

City

*Blackspan*

Date

*11/9*

State

*WV*

19

*92*

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*112*

*.295*

*672.00*

*500*

*1297*

*.355*

*548.50*

*Cons Lab Friday*

*Crude Day*

*Lubric Day*

*.0485*

*97.00*

*.0035*

*7.00*

*.0610*

*2.00*

Received By

*[Signature]*

*[Signature]*



Sold To

Name L. R. [unclear]

Address \_\_\_\_\_

City Buckhannon

State W.V.

Date 11/24

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600 1.10 295

500 1.09 355

904 50

660 00

545 00

Crude Oil 1.085 975

Crude Oil 1.085 700

Crude Oil 1.085 200

# 1127

*[Handwritten signature]*

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2215 50



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City

*Phillippi*

State

*WV*

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19

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Lead Free Gasoline

Premium Lead Free

Diesel Fuel

Motor Oil

*87 OCT*

*92 OCT*

*1500*

*500*

*1.05*

*1.14*

*295*

*245*

*1575.00*

*570.00*

*Cash Sales Tax*

*Credit Tax*

*Labor Tax*

*0.2485*

*0.035*

*0.010*

*97.00*

*7.00*

*2.00*

*Before 13<sup>th</sup>*

*After*

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*Jan*

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**J. C. BAKER & SONS, Inc** 19392

— WHOLESALE DISTRIBUTOR —  
GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gasaway, W. Va.  
Phone 384-5114

Summersville, W. Va.  
Phone 872-3768

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
<i>R.P.</i>	Regular Gasoline					
	Lead Free Gasoline <i>(87 Oct)</i>	<i>2800</i>		<i>2950</i>	<i>1.0625</i>	<i>2982 00</i>
	Premium Lead Free					
	Diesel Fuel		<i>WV Con St Tax</i>	<i>0485</i>		<i>135 80</i>
	Motor Oil <i>Leads 22" Before 6 2 1/2" After</i>		<i>Crude O. Tax</i>	<i>0035</i>		<i>9 80</i>
			<i>LUST Tax</i>	<i>0010</i>		<i>2 80</i>

Received By

*Roni Hamish*

PURCHASER'S SIGNATURE

\$ *3130 40*

TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES.

MOORE BUSINESS FORMS INC

Sold To:

Name

*Harris Texas*

Address

City

*Webster Springs*

State

*W. V.*

Date

*12/4*

19 *92*

Sold By: *Poncho*

**J. C. BAKER & SONS, INC.** <sup>01710</sup>

— WHOLESALE DISTRIBUTOR —  
GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gassaway, W. Va.  
Phone 364-5114

Summersville, W. Va.  
Phone 872-1758

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
	Regular Gasoline					
	Lead Free Gasoline	<i>87 oct</i>	<i>2000</i>		<i>.6900</i>	<i>1380.00</i>
	Premium Lead Free	<i>92 oct</i>	<i>800</i>		<i>.7800</i>	<i>624.00</i>
	Diesel Fuel					
	Motor Oil					
	<i>Federal Excise</i>			<i>.2950</i>		<i>826.00</i>
	<i>W.V. Sale &amp; Ser.</i>			<i>.0485</i>		<i>135.80</i>
	<i>Crude Tax</i>			<i>.0035</i>		<i>9.80</i>
	<i>L.U.S.T.</i>			<i>.001</i>		<i>2.80</i>
Received By	<i>Bank Notes</i>					<i>\$9978.48</i>

Sold To:  
 Name Percin M  
 Address \_\_\_\_\_  
 City James Lee State WV  
 Date 12/7 19 92

Sold By: *Corrected Copy*  
**J. C. BAKER & SONS, Inc.** 00108  
 — WHOLESALE DISTRIBUTOR —  
 GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS  
 Gassaway, W. Va. Phone 364-5114  
 Summersville, W. Va. Phone 872-1759

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
<i>HO</i>	Regular Gasoline					
	Lead Free Gasoline					
	<del>High Speed Fuel</del> Diesel #2	900	1.06	355		954 00
	Diesel Fuel	<del>1400</del>	<del>1.06</del>	<del>355</del>		<del>1484 00</del>
	Motor Oil Kerosene HT	600	.79	-		474 00
					0485	12.15 <del>97.00</del>
					.0035	525 <del>7.00</del>
					.0010	150 <del>2.00</del>
		"NOT TO BE USED AS A MOTOR FUEL"				

Received By A. O.

Sold To:

Name James Lee

Address \_\_\_\_\_

City Gene Lee

State W.Va.

Date 12/29

1992

SALESMAN

MERCHANDISE

*[Handwritten signature]*

Regular Gasoline

Lead Free Gasoline 8700

Premium Lead Free 9200

Diesel Fuel

Motor Oil

Sold B,

# J. C. BAKER & SONS, Inc

02669

WHOLESALE DISTRIBUTION  
GASOLINE • DIESEL FUEL • TEXAS • CALIFORNIA

Gassaway, W Va  
Phone 384-5114

Summersville, W. Va  
Phone 872-1759

QUANTITY	UNIT PRICE	TOTAL	TAX	TOTAL
3300	2950	974	3115	20
2300	2150	4024	2355	20
5000				
W.V. Com. Tax	148		320	10
Com. Tax	0035		1960	
W.V. Tax	0110		560	

Received By

Tom Price

Sold To:

Name

*Young's SS*

Address

City

*Dille*

State

*WV*

Date

*12-20*

19

*93*

Sold By:

**J. C. BAKER & SONS, Inc**

03311

— WHOLESALE DISTRIBUTOR —  
GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gasaway, W. Va.  
Phone 364-5114

Summersville, W. Va.  
Phone 872-1759

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
	Regular Gasoline					
	Lead Free Gasoline <i>87 OCT</i>	<i>1500</i>	<i>.98</i>	<i>.388</i>		<i>1470 00</i>
	Premium Lead Free <i>92 OCT</i>	<i>500</i>	<i>1.08</i>	<i>.388</i>		<i>540 00</i>
	Diesel Fuel					
	Motor Oil					
	<b>W.V. CONS. SALES &amp; SVC TAX</b>			<i>.0485</i>		<i>97 00</i>
	<b>SUPERFUND CHG.</b>			<i>.0023</i>		<i>4 60</i>
	<b>L. U. S. T. TAX</b>			<i>.0010</i>		<i>2 00</i>

Received By

*Frank Young*

PURCHASER'S SIGNATURE

\$ *2113 60*

TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES.

MOORE BUSINESS FORMS INC

Check #  
*5578*

Sold To:

Name

*C. Aaron Terry Disc Inc*

Address

City

*Summersville, W. Va*

State

*W. Va*

Date

*12/7*

19

*42*

Sold By: *J. C. Baker*

**J. C. BAKER & SONS, Inc**

02006

WHOLESALE DISTRIBUTOR

GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS

Gassaway, W. Va.  
Phone 364-5114

Summersville, W. Va.  
Phone 872-1759

SALTSWATER

MERCANTILE

Regular Gasoline

Lead Free Gasoline

Premium Lead Free

Diesel Fuel

Motor Oil

*2700*

*9200*

*2000*

*8000*

*6450 1290.00*

*1350 588.00*

*Federal Excise  
U. S. Sales Tax  
Crude Tax  
24.57*

*24.57*

*148.00*

*11.35*

*2.01*

*826.00*

*135.80*

*4.80*

*2.80*

Received By:

*P. Phillips Johnson*

PURCHASER SIGNATURE

*2822.40*

TERMS: PAYABLE WITHOUT DISCOUNT UPON RECEIPT OF MONTHLY STATEMENT OF PURCHASES

Sold To:  
 Name C. Adam Tony Pass via

Sold By: Poncho  
**J. C. BAKER & SONS, Inc** 01738

Address  
 City Summersville State W.V.  
 Date 12/29 19 92

— WHOLESALE DISTRIBUTOR —  
 GASOLINE • DIESEL FUEL • TEXACO LUBRICANTS  
 Gassaway, W. Va. Phone 364-5114  
 Summersville, W. Va. Phone 872-1759

SALESMAN:	MERCHANDISE	QUANTITY	PRICE	TAX	PRICE	AMOUNT
	Regular Gasoline					
	Lead Free Gasoline	37.00	5.45		2016.50	1298.00
	Premium Lead free	12.00	6.15		738.00	983.50
	Diesel Fuel					
	Motor Oil					
	<del>miscellaneous</del>			7.95		526.00
	State Tax			10.95		135.00
	County Tax			10.35		110.50
	<u>2.45</u>					2.80
received by						528.11.00





SHEET NO. \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_

RATING \_\_\_\_\_

NAME Jinger's Service Station

CREDIT LIMIT 772-9852

ADDRESS Weston Road

TERMS \_\_\_\_\_

Budhannon, W V 26201

11/16/51  
100

WILSON JONES FORM GNS-D N2-D	DATE TO	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
	Jan 1					147034.6
	2	1100 LF Plus 3300 LF 2000 PF 2000 dual	23280 ✓	9180.80		137853.80
	2	CR (Inv 23280)			9180.80	150034.60
	9	CK (Inv 21600)			2208.30	127826.30
	30	1100 LF Plus 3300 LF 2200 PD 2000 Dual	11 23280 ✓	8063.10		119763.20
	FEB 3	CK (2116.00 on Hand - 7182.70 on Inv 23280)			10000.00	109763.20
	MAR 5	1600 LF Plus 4400 LF 2700 PD 2	23280 ✓	8234.10		101529.10
	10	Cash (on Inv 23280)			791.70	102320.80
	APR 3	4400 LF, 2700 PD, 1500 Dual	23280 ✓	5862.30		96458.50
	11	CK (1052.70 on Inv 23280 - 5910.20 on Inv 23280)			10000.00	86458.50
	MAY 29	Cash (2212.00 on Inv 23280 + 173.20 on Inv 23280)			1000.00	87458.50
	JUN 21	1800 LF, 1185 PD 2	23280 ✓	2748.88		84709.62
	25	CK (on Inv 24876)			3000.00	81709.62
	29	1300 LF, 485 PD 2, 700 Dual	H 22063 ✓	2588.82		79120.80
	27	CK (Inv 22063)			2588.82	76531.98
	JUL 2	1300 LF, 485 PD 2, 700 Dual	H 25120 ✓	2563.08		73968.90
	2	CK (Inv 05328)			2563.08	71405.82
	5	Credit for purchase (against Inv 24876)	2776 ✓		<14825>	72888.32
	7	Credit for purchase (against Inv 24876)	21907 ✓		<22885>	75173.32
	16	1300 LF, 1185 PD 2	21871 ✓	2709.79		72463.53
	16	CK (Inv 21871)			2709.79	75173.32
	26	900 LF, 600 PD 2, 500 Dual	H 20728 ✓	2149.50		73023.82
	26	CK (Inv 05328)			2149.50	70874.32
	28	1785 LF, 700 PD 2	21170 ✓	2681.29		68193.03
	28	CK (Inv 21170)			2681.29	70874.32
	AUG 9	900 LF, 600 PD 2, 500 Dual	H 21824 ✓	2568.00		68306.32
	9	CK (Inv 21824)			2568.00	70874.32
	14	1300 LF, 1185 PD 2	21831 ✓	3213.00		67661.32
	14	CK (Inv 21831)			3213.00	70874.32
	22	1785 LF, 700 PD 2	25305 ✓	3424.79		67239.53

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME Linger's Service Station

RATING

ADDRESS Weston Road

CREDIT LIMIT

Buckhannon, WV 26201

TERMS

DATE TO 32	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
AUG 22	CK (Inv. 5615)				2426.79	2555.88
29	600 LF 900 P.M. 500 diesel	H 0618	✓	2654.50		1021.38
29	CK				654.50	
	CK				2000.00	7555.88
SEPT 4	900 P.M. 1100 P.M.	05763	✓	2700.00		1025.88
4	CK				2700.00	7555.88
8	1100 P.M. 900 P.M.	06074	✓	2778.00		
	600 Diesel	H 0705	✓	811.20		1114.08
8	CK (Inv. 6221)				2778.00	8362.08
10	Credit for purchases (against Inv. 21121)	05035	✓		408.92	7958.16
11	CK (Inv. 2251)				811.20	7146.96
17	1400 P.M. 600 P.M.	07185	✓	2715.00		4431.96
17	CK (Inv. 7385)				2715.00	7146.96
21	2000 P.M. 500 Diesel	H 07391	✓	3922.50		1046.46
22	CK (Inv. 07394)				3522.50	7146.96
28	1100 P.M. 500 P.M. 400 Diesel	H 05679	✓	2911.00		10657.96
OCT 2	CK (Inv. 05679)				2911.00	7146.96
3	Credit for purchases (against Inv. 21157)	06542	✓		144.37	7000.59
4	900 P.M. 600 P.M. 500 Diesel	H 05688	✓	2843.75		4156.84
4	CK (Inv. 05688)				2843.75	7000.59
8	1300 P.M. 700 P.M. 485 Diesel, Oil	H 05635	✓	3574.55		10575.14
8	CK (Inv. 05635)				3574.55	7000.59
15	800 P.M. 500 P.M. 700 Diesel	H 05643	✓	2910.00		4090.59
15	CK (Inv. 05643)				2910.00	7000.59
19	1300 P.M. 485 P.M. 700 Diesel	H 05715	✓	3569.70		10570.29
20	CK (Inv. 05715)				3569.70	7000.59
25	900 P.M. 500 P.M. 600 Diesel	H 07462	✓	2725.00		4275.59
25	CK (Inv. 07462)				2725.00	7000.59
30	2000 P.M. 485 P.M.	07469	✓	3413.07		10413.66
30	CK (Inv. 07469)				3413.07	7000.59

SHEET NO. \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_

RATING \_\_\_\_\_

NAME \_\_\_\_\_

Linger's Service

CREDIT LIMIT \_\_\_\_\_

ADDRESS \_\_\_\_\_

17 Weston Road

BUCKHANNON, WV 26201

TERMS \_\_\_\_\_

© WILSON JONES COMPANY W-2-O WHITE G-2-O GREEN

MADE IN U.S.A.

DATE 1970	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
Nov 5	Credit for Oct. purchases (on Inv #24876)	4484 ✓		3200.00	6680.57
6	1300 P.D., 485 P.D., 700 Diesel	H 0821 ✓	3469.07		10199.64
6	CK (Inv 03521)			3469.07	6680.57
12	2000 P.D., 485 P.D.	0822 ✓	3413.07		10129.64
12	CK (Inv 08277)			3413.07	6680.57
20	1300 P.D., 485 P.D., 700 Diesel	H 0457 ✓	3386.45		10067.02
20	CK (Inv 06137)			3386.45	6680.57
28	1785 P.D., 700 P.D.	06140 ✓	3311.68		9992.25
29	CK (Inv 06140)			3311.68	6680.57
Dec 4	1300 P.D., 485 P.D., 700 Diesel	H 08307 ✓	3375.36		10055.93
5	CK (Inv 08800)			3375.36	6680.57
11	1300 P.D., 485 P.D., 700 Diesel	H 09184 ✓	3105.68		9786.25
11	CK (Inv 09184)			3105.68	6680.57
18	1300 P.D., 485 P.D., 700 Diesel	H 05136 ✓	3020.27		9700.84
21	CK (Inv 09184)			3020.27	6680.57
26	2000 P.D., 485 P.D. (corrected - 124.25)	07404 ✓	2876.42		9556.99
29	CK (Inv 03404 & 124.25 on Inv 24876)			3000.67	6556.92

SHEET NO. \_\_\_\_\_

RATING \_\_\_\_\_

CREDIT LIMIT \_\_\_\_\_

TERMS 457-5450

NAME Simsb' Service Center

ADDRESS Rt. 1 Box 66

Phillipi, WV 26416

ACCOUNT # 210  
7/1/86  
8724

WILSON JONES FORM GW2-D N2-D	DATE TO	ITEMS	PAID	DEBITS	CREDITS	BALANCE
	Jan 1					763640
	4	3300 LF 2500 PF 1000 dual H	21337 ✓	752440		1515080
	15	CK			762640	752440
	17	1000 X3 Plus, 2000 X2, 2500 X3 Perm, 1000 dual H	21391 ✓	752850		1485290
	27	CK			752440	732850
	31	3800 X2, 3000 Perm, X2	2290 ✓	759240		1472080
	FEB 12	CK			752850	739240
	16	3300 X2, 2500 PF X2, 900 Dual ✓	H 24978 ✓	499585		1438625
	24	CK			739240	699385
	28	3300 X2, 2500 PF X2, Oil	23982 ✓	622609		1321994
	MAR 8	CK			699385	622609
	10	2800 LF	20604 ✓	278880		901489
	16	2200 X2, 3000 X2, 600 Dual H	24552 ✓	615990		1517479
	23	CK			622609	894870
	29	3300 X2, 2500 PF X2	24871 ✓	618340		1513210
	29	CK			378880	1234330
	APR 5	600 Dual, 900 Perm (Vent) H	24225 ✓	135990		1370320
	9	CK			615990	754330
	11	3300 X2, 2700 PF X2	24535 ✓	640800		1395130
	20	CK			618340	776790
	23	3800 X2, 3000 PF X2	Bill Due 455167 24703	728740		1505430
	MAY 3	CK			640800	864230
	5	1300 X2, 700 PF X2, 485 Dual H	22637 ✓	566971		1131201
	5	CK			366971	864230
	9	1785 X2, 700 PF X2	24386 ✓	271280		1135510
	9	CK			271280	864230
	16	2000 X2, 800 PF X2	24385 ✓	308580		1172810
	16	CK			308580	864230
	21	1100 X2, 900 PF X2	22574 ✓	227700		1091930
	21	CK			227700	864230

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME **Sincis Service Center**

RATING

ADDRESS **Rt. 1 Box 66**

CREDIT LIMIT

**Philippi, WY 26416**

TERMS

DATE	ITEMS	PAID	✓	DEBITS	CREDITS	BALANCE
MAY 24	1500 X <sub>2</sub> , 500 P <sub>2</sub> , 500 Diesel	H 0526	✓	2767.75		11510.05
24	CK				2767.75	8642.30
26	500 X <sub>2</sub> , 1500 P <sub>2</sub>	2428	✓	2327.00		10969.30
26	CK				2327.00	8642.30
31	900 X <sub>2</sub> , 600 P <sub>2</sub> , 500 Diesel	H 0527	✓	2191.00		10839.30
31	CK				2191.00	8642.30
JUN 2	1785 X <sub>2</sub> , 700 P <sub>2</sub>	2468	✓	2787.35		11429.65
2	CK				2787.35	8642.30
5	800 X <sub>2</sub> , 1200 Diesel, Oil	H 0532	✓	2118.00		10754.34
5	CK				2112.04	8642.30
8	700 X <sub>2</sub> , 1785 P <sub>2</sub>	2411	✓	2877.21		11519.51
8	CK				2877.21	8642.30
13	1400 X <sub>2</sub> , 600 P <sub>2</sub>	0530	✓	2177.00		10819.30
13	CK				2177.00	8642.30
18	1300 X <sub>2</sub> , 485 P <sub>2</sub> , 700 Diesel, Oil	H 0683	✓	2023.28		11264.58
18	CK				2623.28	8642.30
20	1300 X <sub>2</sub> , 1200 P <sub>2</sub>	0687	✓	2766.25		11408.55
20	CK				2766.25	8642.30
26	1775 X <sub>2</sub> , 700 P <sub>2</sub>	2431	✓	2658.15		11360.45
26	CK				2658.15	8642.30
30	600 X <sub>2</sub> , 900 P <sub>2</sub> , 500 Diesel	H 0688	✓	2132.25		10774.58
30	CK				2132.25	8642.30
JUL 4	1785 X <sub>2</sub> , 700 P <sub>2</sub>	2487	✓	2630.80		11279.10
4	CK				2630.80	8642.30
6	1300 X <sub>2</sub> , 485 P <sub>2</sub> , 700 Diesel	H 0695	✓	2341.66		11183.96
6	CK				2341.66	8642.30
9	485 X <sub>2</sub> , 1300 P <sub>2</sub> , 700 Diesel, Oil	H 0762	✓	2627.35		11269.65
9	CK				2627.35	8642.30
13	1500 X <sub>2</sub> , 1000 P <sub>2</sub>	2466	✓	2642.50		11285.80
13	CK				2642.50	8642.30

SHEET NO. \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_

RATING \_\_\_\_\_

NAME \_\_\_\_\_

SIMON'S SERVICE CENTER

CREDIT LIMIT \_\_\_\_\_

ADDRESS \_\_\_\_\_

TERMS \_\_\_\_\_

WILSON JONES FORM 10-D	DATE 1952	ITEMS	PNLID	✓	DEBITS	CREDITS	BALANCE
	JUL 18	CK (on bill # 21125)				250.00	8392.30
	20	1300 X <sub>2</sub> , 1185 P <sub>2</sub> , Del	0776	✓	2772.15		11169.45
	20	CK				2772.15	8392.30
	25	1300 X <sub>2</sub> , 700 P <sub>2</sub> , 485 Dual (corrected 21620)	15225	✓	3481.59		11014.19
	25	CK (m 21 5332)				2906.64	8707.55
	26	CK (m 21 21325)				500.00	8207.55
	28	1785 X <sub>2</sub> , 700 P <sub>2</sub>	0776	✓	2693.71		10901.26
	28	CK				2693.71	8207.55
	31	1300 X <sub>2</sub> , 485 P <sub>2</sub> , 700 Dual	H 06185	✓	3063.24		10970.79
	31	CK				2063.24	8207.55
	AUG 6	1300 X <sub>2</sub> , 1185 Dual	H 06185	✓	29116.6		21119.21
	6	CK				29116.6	8207.55
	7	1185 X <sub>2</sub> , 1300 P <sub>2</sub> , Del	06185	✓	32139.1		11421.46
	7	CK (609.12 on July 24 325 + 550.00 on July 24 1952)				1200.00	10221.46
	14	1300 X <sub>2</sub> , 1185 P <sub>2</sub>	07250	✓	32130.00		13434.46
	14	CK (July 07 352 + 1500.00 on July 24 1952)				471.300	8721.46
	17	1800 X <sub>2</sub> , 700 P <sub>2</sub>	05506	✓	3265.75		11987.21
	18	CK (July 5206)				3265.75	8721.46
	24	1800 X <sub>2</sub> , 700 P <sub>2</sub>	05008	✓	3497.00		12384.46
	24	CK (July 5408)				3497.00	8721.46
	31	1300 L.F. 1185 P.F.	05701	✓	3337.25		12058.71
	31	CK (July 5700)				3337.25	8721.46
	SEPT 6	1500 X <sub>2</sub> , 1000 P <sub>2</sub> , Del (corrected 1300)	Still off 300 06624	✓	3422.13		12400.59
	6	CK (July 5524 - 300)				3419.13	8721.46
	12	1000 X <sub>2</sub> , 700 P <sub>2</sub> , 800 Dual	H 03668	✓	3417.55		12142.01
	12	CK (July 5168)				3417.55	8721.46
	17	1500 X <sub>2</sub> , 500 P <sub>2</sub>	06606	✓	2704.00		11438.46
	17	CK (July 0600)				2710.400	8721.46
	21	1200 X <sub>2</sub> , 800 P <sub>2</sub> , 500 Dual	H 06074	✓	3410.50		12134.96
	21	CK (July 5134)				3410.50	8721.46

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME SIMON'S SERVICE CENTER

RATING

ADDRESS Rt. 1 Box 66

CREDIT LIMIT

PHILIPPI, N.Y. 26416

TERMS

DATE	ITEMS	POLIO	✓	DEBITS	CREDITS	BALANCE
SEPT 21	1200 DL, 800 Pd, 500 Diesel	H 15478	✓	3658.00		12321.46
22	CK (Jnr. 5478)				3658.00	8724.46
OCT 6	1400 DL, 600 Pd	12234	✓	2795.00		11519.46
6	CK (Jnr. 05636)				2795.00	8724.46
10	900 DL, 600 Pd, 500 Diesel	H 16732	✓	2845.00		11569.46
10	CK (Jnr. 06702)				2845.00	8724.46
16	1785 DL, 700 Pd	07751	✓	3511.27		12238.73
16	CK (Jnr. 07581)				3511.27	8724.46
24	1785 DL, 700 Pd, DL	07459	✓	3445.58		12170.94
24	CK (Jnr. 07459)				3445.58	8724.46
26	900 LF 600 PLF 500 Diesel	H 08508	✓	2805.00		11529.46
26	CK (Jnr. 08508)				2805.00	8724.46
NOV 5	900 DL, 600 Pd, 500 Diesel	H 05787	✓	2812.50		11536.96
5	CK (Jnr. 05739)				2812.50	8724.46
10	1785 DL, 700 Pd	00124	✓	3436.72		12161.18
10	CK (Jnr. 08434)				3436.72	8724.46
13	CK (on Jnr. 24703)				500.00	8224.46
17	1785 DL, 700 Pd	12043	✓	3375.05		11593.51
17	CK (on Jnr. 08013)				3375.05	8224.46
23	1300 DL, 700 Pd, 485 Diesel (corrected - 400)	H 07497	✓	3339.42		11563.89
23	CK (Jnr. 07497 - 70.65 on Jnr. 24703)				3380.05	8183.83
29	1300 LF 1300 PLF	06162	✓	3391.25		11575.08
29	CK (Jnr. 06142)				3391.25	8183.83
DEC 4	900 DL, 1100 Diesel	H 08227	✓	2713.20		10701.13
6	CK (Jnr. 08287)				2713.20	8183.83
10	1800 LF 700 Prem.	08282	✓	3040.00		11183.83
10	CK (08282)				3040.00	8183.83
14	1100 DL, 900 Pd, DL	08481	✓	2398.00		10581.83
14	CK (Jnr. 08451)				2398.00	8183.83



CREDIT LIMIT

ADDRESS P. O. Box 979 (The Mill)

Write 1-2222

TERMS

Buckhannon, WV 26201

WILSON JONES FORM GN2-D N2-D	DATE 1970	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
	Jan 1						366721
	10	1000 Diesel	21190	✓	123300		489621
	10	Multigear 90 - Maxfax 17162	23647	✓	18560		508181
	17	Unsa SP 30, Regal 68	23066	✓	34265		542446
	17	CK (on 1-1-70 bal)				130270	412176
	24	CK (on 1-1-70 bal)				137920	274256
	31	300 X 2 1000 Diesel	24753	✓	123640		397896
	FEB 1	CK (Inv 23066)				34265	363631
	8	CK (Inv 21190)				123300	240331
	21	1000 Diesel	24774	✓	85300		
	5	Unsa SP 30, Regal 68	25216	✓	34265		359896
	22	CK (Inv 24753)				123640	236256
	26	Oil Repair	28	✓	3000		
	5	Antifreeze & Multigear 90	24004	✓	31840		271096
	MAR 1	Unsa SP	24306	✓	18730		252326
	8	CK (Inv 24774, 23216)				118565	172261
	14	1000 Diesel	23839	✓	88900		259161
	14	CK (Inv 28, 24004, 24306)				59570	205591
	20	13.9 X 2 110" 12-110"	10	✓	1500		
		35# MG 80-90	24350	✓	2170		209261
	26	14.3 X 2 110" 12	12	✓	1480		210741
	27	Oil & Grease	24159	✓	28250		238991
	APR 2	300 X 2, 1000 Diesel	24027	✓	121530		360521
	2	CK (Inv 23839, 100 24350)				92570	267951
	4	20.2 X 2	11	✓	2225		270176
	11	CK (Inv 120 24159)				29730	240446
	24	Oil	23245	✓	34265		274711
	27	1000 diesel	23240	✓	89650		364361

ADDRESS P.O. Box 979 The Mill  
 Buckhannon, WV 26201

CREDIT LIMIT  
 TERMS

DATE 1990	ITEMS	POLO	✓	DEBITS	CREDITS	BALANCE
MAY 10	oil	24080	✓	18370		258976
11	oil	24092	✓	18370		277346
15	CK (Inv 23845)				✓ 34265	243081
22	1000 Diesel	24670	✓	88150		331231
25	oil & Grease	24677	✓	54995		386226
JUN 5	Plug Wire	22	✓	200		386426
7	CK (Inv 24090, 24092, 24670, 24677)				✓ 179885	206541
8	200 Lt. 1000 Diesel	24725	✓	106370		312911
11	oil	24458	✓	18370		331281
19	Antifreeze	26381	✓	27500		358781
26	CK (Inv 24458)				✓ 18370	340411
30	1000 Diesel	26964	✓	81300		421711
JUL 4	CK (Inv 6381)				✓ 27500	394211
5	oil	21451	✓	18370		412581
12	CK (Inv 6964)				✓ 81300	331281
18	CK (Inv 21451)				✓ 18370	312911
20	200 Lt. 1000 Diesel	26976	✓	106960		419871
20	25 diesel	05	✓	2500		422371
28	oil	21978	✓	16720		439091
31	CK (Inv 6476 + 65)				✓ 109460	329631
AUG 7	1000 Diesel	21947	✓	105300		4134931
8	oil	21879	✓	15895		450826
13	600 Diesel	25343	✓	66150		516976
15	oil & Grease	26185	✓	24880		541856
22	CK (Inv 21947, 21879)				✓ 121195	420661
23	oil	27797	✓	14630		435291
28	200 Lt. 1000 Diesel	21839	✓	146960		
	Credit memo	27289	✓		1229	581022

## CREDIT LIMIT

## ADDRESS

"THE MILL"

## TERMS

WILSON JONES FORM N2-D	DATE 19 <u>52</u>	ITEMS	POLIO	✓	DEBITS	CREDITS	BALANCE
	SEPT 12	Grease	0665	✓	0510		3922.22
	14	CK (Inv 21839)				1469.60	2452.62
	18	200 L.F. 1000 Diesel	05707	✓	1441.90		3594.52
	19	oil	06584	✓	330.00		4224.52
	28	Oil	07530	✓	183.70		4408.22
	28	CK (Inv 06653)				0510	4343.12
	OCT 1	CK (Inv 05707, 06584)				1771.90	2571.22
	4	1000 Diesel	05634	✓	1312.00		3883.22
	6	Grease	05638	✓	107.64		3990.86
	11	CK (Inv 21998)				167.20	3823.66
	17	oil	07553	✓	526.35		4350.01
	20	CK (Inv 07530)				183.70	
		CK (Inv 05634, 05638 - <sup>(H.V.)</sup> 4 <sup>th</sup> Short)				1419.47	2746.67
	22	1000 Diesel	05716	✓	1327.00		4073.67
	24	oil	08504	✓	170.5		4090.42
	31	CK (Inv 05716, 07553)				1853.35	2237.37
	NOV 5	Grease	05738	✓	65.10		2302.47
	6	1000 Diesel	08522	✓	1282.00		3584.47
	10	Credit Memo	06242	✓		185.60	3398.87
	12	oil	05745	✓	59.90		3458.77
	15	Grease	08039	✓	86.80		3545.57
	17	oil	08533	✓	342.65		3888.22
	20	CK (Inv 08504)				17.05	3871.17
	21	CK (Inv 08522, 05738)				1347.10	2524.07
	26	1000 Diesel	08280	✓	1222.00		3746.07
	29	grease	08384	✓	107.64		3853.71
	30	CK (Inv 08039, 05745)				146.70	3707.01
	DEC 3	700 oil	08803	✓	926.10		4633.11



CREDIT LIMIT July 472-2841

NAME WAGNER LINDSEY COMPANY  
ADDRESS P.O. Box 979 Buckhannon Auct.

Wrote 12/12/10  
#121

TERMS

Buckhannon, WV 26201

WILSON JONES  
FORM GN2-D N2-D

DATE	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
1990					
JAN 1					10442.54
19	CK				
24	CK			532.40	9910.14
FEB 1	Truck 5-Plus 30, Jorgue 2L, 10N40	23636 X	439.00		10349.14
MAR 7	Truck 30W, Regal 32, New 10N30 & 10N40	23454 X	471.95		10821.09
12	500 X 9, 1500 Diesel	22605 X	1831.50		12652.59
APR 11	Oil & Grease	10438 X	580.45		13233.04
30	Oil	24251 X	326.15		13559.19
JUN 16	Oil & Grease	24259 X	496.05		14055.24
JUL 20	Oil & Antifreeze	24265 X	774.79		14830.03
AUG 20	2000 Diesel	2792 X	2305.00		
	Oil	25507 X	526.35		17061.38
SEPT 6	CK (Int 2792, 22605)			4136.50	13524.88
24	Credit to reconcile			24.02	13500.86
OCT 1	CK (Int 24265)			774.79	12726.07
11	Oil & Grease 10/3	25153	481.84		13207.91
25	Oil & Grease	20444	604.92		13812.83
30	700 X 9, 1785 Diesel	22356	324.37		17056.53
DEC 26	Oil 12/17 (corrected -22.00)	05160 X	634.16		17690.69

SHEET NO.

ACCOUNT NO.

RATING

Kennedy R. Hamrick

NAME

Hamrick <sup>Texas</sup> Garage Station (Kennedy Hamrick)

CREDIT LIMIT

ADDRESS 126 Baker Street

TERMS

Sub. trac<sup>+</sup> 79129.41

Webster Springs, WV 26288

WILSON JONES FORM GN2-D N2-D	DATE 1970	ITEMS	FOLIO /	DEBITS	CREDITS	BALANCE
	Jan 1					83864.86
	3	Oil	11868 ✓	225.78		84090.64
	5	CK			225.78	83864.86
	6	CK			2322.80	80472.06
	13	1400 X2, 2000 Pd2 2000 Diesel (Next)	2302 ✓	922.200		79494.06
	13	CK			2740.00	76754.06
	24	2000 X2 Plus, 2300 X2 (Corrected)	2325 ✓	454.90		71518.96
	24	CK			922.200	82726.96
	FEB 2	2000 Diesel (Next)	2422 ✓	1531.00		813827.96
	2	CK			1531.00	82296.96
	3	CK (Jan 23rd)			4575.50	77721.46
	9	3300 LF 3400 PLF 1800 diesel ✓	H 2313 ✓	8932.65		86654.11
	20	2400 X2, 1000 Pd2	2321 ✓	3578.30		90232.41
	23	1100 Diesel H ✓ 900 Kero (Next) ✓	2308 ✓	1874.20		92106.61
	MAR 1	CK			3578.30	88528.31
	2	2500 Diesel	H ✓	2437.50		91265.81
	12	CK			1874.20	:
	12	CK			8932.65	82358.96
	16	CK			2637.50	77721.46
	20	2700 X2, 1100 Pd2	2424 ✓	3977.40		81718.86
	28	CK			3977.40	77721.46
	APR 3	2000 Diesel (Next)	2427 ✓	1402.00		96307.52
		4000 X2, 2700 Pd2	2428 ✓	7124.10		79183.46
	5	CK			7124.10	79183.46
	13	1300 Diesel, 1200 Kero (Next)	2422 ✓	1982.85		81166.31
	18	2300 X2, 1100 Pd2	2427 ✓	3588.20		84754.51
	18	CK			1462.00	
	18	CK			1982.85	81307.66
	26	CK			3588.20	77721.46

ACCOUNT NO.

SHEET NO.

NAME <sup>Texaco</sup> Hamrick Service Station

RATING

ADDRESS 126 Baker Street

CREDIT LIMIT

Webster Springs, W V 26288

TERMS

DATE 19 22	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
APR 30	5000 G.S., 3000 P.S.	24712	✓	8484.00		86205.46
MAY 17	2700 G.S., 4000 P.S., 1800 Diesel	H 24776	✓	9456.50		95661.96
	19 CK				2414.00	87177.96
JUN 8	CK				8756.50	77721.46
JUN 11	3700 G.S., 3000 P.S., 1800 Diesel	H 26684	✓	9220.50		86941.96
JUL 2	CK				9220.50	77721.46
	4 4000 G.S., 2700 P.S., 1000 Diesel (Heat)	25583	✓	8278.10		85973.56
	19 CK				8278.10	77721.46
	20 4000 G.S., 2700 P.S., 1505 Diesel	H 25942	✓	8972.83		86684.29
	28 CK				8972.83	77721.46
AUG 3	3300 G.S., 2700 P.S.	27808	✓	7380.00		85101.46
	4 1352 Diesel	H 25582	✓	1546.68		86648.14
	15 128 Kero, 382 Diesel (Heat)	25893	✓	494.02		87142.16
	15 CK				494.02	86648.14
	17 3300 G.S., 2000 P.S.	27340	✓	6966.90		83681.24
	25 CK				1546.68	
	25 CK				7380.00	84688.36
Sept 12	CK				6966.90	77721.46
	17 800 Kero, 2000 Diesel (Heat)	21111	✓	2963.60		80685.06
	17 CK				2963.60	77721.46
	18 4000 LE 3000 P.S.	25560	✓	9601.50		87322.96
OCT 6	800 Kero, 2000 Diesel (Heat)	21365	✓	3434.40		90757.36
	8 CK				9621.50	81155.86
	12 CK				3434.40	77721.46
	15 4000 G.S., 4000 P.S.	25588	✓	11496.00		89217.46
	25 CK				11496.00	77721.46
NOV 6	4000 G.S., 2000 P.S., 2000 Diesel	H 27418	✓	11206.00		88927.46
	12 Kero	26123	✓	6440		88991.96
	14 2000 Diesel, 800 Kero (Heat)	27422	✓	3453.60		92445.46



SHEET NO.

ACCOUNT NO.

RATING

Den. Prince

NAME

Prince, W. J.

PRINCE'S SERVICE STATION

CREDIT LIMIT

884-7411

ADDRESS

Main Street

P. O. Box 323

TERMS

Jane Lew, WV 26378

WILSON JONES FORM GN2-D N2-D		DATE TO	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
		Jan 1	2700 LF, 1100 PLE	23278 ✓	4009.60		4009.60
		4	600 Kerosene - (heat)	11864 ✓	751.80		4761.40
		4	CK			4761.40	
		23	2000 X3, 1500 P23	21546 ✓	4543.50		1217.90
		23	CK			1217.90	
		FEB 12	2000 X3, 1000 Diesel ✓	H 23211 ✓	3905.50		168.40
		20	CK			168.40	
		MAR 7	500 Kero (heat)	23222 ✓	429.75		125.65
		14	3800 X3, 2300 P23	24851 ✓	759.30		484.35
		14	CK			484.35	
		29	1800 X3, 1100 P23	24873 ✓	3020.70		182.65
		APR 4	CK			182.65	
		24	3400 X3, 2000 P23	24952 ✓	5724.20		389.45
		24	CK			389.45	
		MAY 7	900 Diesel	H 24612 ✓	806.85		412.60
		21	3500 X3, 1500 P23	24733 ✓	551.50		131.10
		21	CK			131.10	
		JUN 5	CK			131.10	
		8	2500 X3, 1500 P23	06220 ✓	440.20		310.90
		8	CK			310.90	
		22	1500 Diesel	H 24649 ✓	1124.50		198.40
		JUL 7	3300 X3, 2300 P23	24722 ✓	6122.80		123.40
		7	CK			123.40	
		12	CK			123.40	
		AUG 6	3500 X3, 1500 P23	24221 ✓	5914.50		123.40
		6	CK			123.40	
		SEPT 8	1200 X3	23084 ✓	1332.00		123.40
		14	CK			123.40	
		17	3200 X3, 1800 P23	21233 ✓	5672.90		123.40
		19	CK			123.40	

MADE IN U.S.A.

ACCOUNT NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

NAME Prince, W. J.

RATING \_\_\_\_\_

ADDRESS Main Street

CREDIT LIMIT \_\_\_\_\_

Jane Lew, WV 26378

TERMS \_\_\_\_\_

DATE 19__	ITEMS	FOLIO	✓	DEBITS	CREDITS	BALANCE
SEPT 21	1000 Diesel	H 07515	✓	134700		
	300 Kero (Heat)	02504	✓	37560		172260
	21 CK				174960	2900
OCT 23	3500 K2, 1200 P&2	06668	✓	732110		729410
	23 CK				732110	2000
NOV 17	1200 K2	02535	✓	159400		156508
	19 2000 P&2, 1500 Diesel	H 07549	✓	494450		450950 ✓
	23 600 Kero (Heat)	02594	✓	81180		732070
	26 CK				653650	78420 ✓
	30 CK				78420	-0-
DEC 6	4000 K2	02522	✓	520800		520800 ✓
	17 CK				520800	-0-

SHEET NO.

ACCOUNT NO.

RATING

548-5399

NAME

Samples' Service Station

CREDIT LIMIT

Bernie E. or Rita G. Sample

ADDRESS Rt. 1 Box 7

TERMS

Proctor, NY 2516A

WILSON JONES Form GR-2 N-2	DATE 10/20	TERMS	POLIC ✓	DEBITS	CREDITS	BALANCE
	Jan 1					5376.80
	5	3400 LF 2000 PLF	29106 ✓	6065.20		11439.00
	19	CK			5536.80	6065.20
	26	3800 X2 2000 PUM X9	22127 ✓	4229.40		1734.60
	Feb 9	CK			6062.20	6218.40
	16	3500 X2 2000 PUM X3	22378 ✓	5826.50		1207.90
	MAR 2	CK			6249.40	5826.50
	9	3800 X2 1000 P.S.2	24851 ✓	5684.20		1151.30
	23	CK			5826.50	5684.20
	30	3400 X2 2000 PLF	44175 ✓	5224.20		1140.00
	Apr 12	CK			5684.20	5724.20
	18	4300 X2 2000 Pd3	24192 ✓	4043.90		1680.30
	MAY 3	CK			5724.20	6643.90
	10	4100 X2 1500 Pd3	24170 ✓	4328.00		1291.90
	25	CK			6643.90	6328.00
	31	2600 X2 1100 Pd3	24887 ✓	4043.10		1037.10
	JUN 12	CK			6328.00	4043.10
	13	4200 X2 1600 Pd3	26852 ✓	4325.40		1036.50
	28	CK			4463.10	6305.40
	JUL 4	4000 X2 2000 Pd3	24872 ✓	4561.20		1256.60
	19	CK			6325.40	4561.20
	20	4000 X2 1100 Pd3	26191 ✓	5582.30		12143.50
	AUG 4	CK			6561.20	5582.30
	8	4000 X2 2000 Pd3	23278 ✓	7658.60		13240.30
	25	CK			5582.30	7658.60
	30	4400 LF 1600 PLF	27349 ✓	7918.00		15577.00
	Sept 14	CK			7658.60	7918.00
	20	3300 X2 1100 Pd3 DL	25521 ✓	5992.00		13910.00
	OCT 4	CK			7918.00	5992.00

MADE IN U.S.A.



SHEET NO.

ACCOUNT NO.

RATING

NAME White Service Station

CREDIT LIMIT

ADDRESS 103 Third Street

TERMS

Gassaway, WV 26624

WILSON JONES FORM NO-0		DATE	ITEMS	POLIC	DEBITS	CREDITS	BALANCE
		Jan 1					1155531
		2	oil	11089	2358		1157889
		2	ct			2358	1155531
		6	oil	41	4758		1160289
		7	ct			4758	1155531
		9	ct			30000	855531
		13	oil	14	2358		
		14	2000 FC	2016	233200		1080089
		14	CASH			2358	
		14	ct			450000	627731
		19	6550 FC 2500 FC	12023	1015455		
		19	oil	80	2358		1645544
		19	CASH			2358	1643186
		25	ct			600000	1043186
		26	grease	41	2380		1045566
		26	CASH			2380	1043186
		30	oil	06	4716		1047902
		30	CASH			4716	1043186
		Feb 6	ct			400000	643186
		9	oil	51	2400		
		9	6550 FC 2500 FC	12037	1015454		1661040
		9	CASH			2400	1658640
		13	oil	99	2400		1661040
		13	CASH			2400	1658640
		14	ct			500000	1158640
		17	2500 FC	6740	277750		1436390
		23	ct			500000	936390
		25	oil	4	4716		941106
		25	CASH			4716	936390

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME White Service Station

RATING

ADDRESS 103 Third Street

CREDIT LIMIT

Gassaway, WV 26624

TERMS

DATE	ITEMS	PAID	DEBITS	CREDITS	BALANCE
10/24					
Feb 28	ck			386390	6000.00
29	5550 FC 2500 LF	1025	10119454		1619454
March 10	ck			650000	969454
14	Oil	42	2358		971812
14	CASH			2358	969454
19	6550 FC 2500 LF	1079	1006704		1975858
19	ck			500000	1475858
28	ck			500000	975858
31	Oil	17	700		
31	Oil	41	4716		981274
31	CASH			700	
31	CASH			4716	975858
April 3	ck			500000	475858
4	gas	26	2380		478238
4	CASH			2380	475858
5	6550 FC 2500 LF	1359	1006404		1482262
10	ck			500000	982262
11	Oil	19	4716		986978
11	CASH			4716	982262
13	Oil	49	2400		984662
14	CASH			2400	982262
18	ck			600000	382262
19	2400 FC 1700 LF	2367	458204		840462
23	ck			400000	440462
24	Oil	1	4716		445178
24	CASH			4716	440462
25	6550 FC 2500 LF	7274	1006404		1446876
27	ck			300000	1146876
May 2	ck			400000	746876

CREDIT LIMIT

ADDRESS Box 100

TERMS

493-6375

Hacker Valley, WV 26222

Write Letter #1287.C1

WILSON JONES FORM GN2-D N2-D	DATE 19 90	ITEMS	POLIC	✓	DEBITS	CREDITS	BALANCE
	Jan 1						232187
	26	15N40, Manjak MP2, Tassa S-Plus 1 650T Cyl Oil	10357	✓	X 72566		309753
	31	1500 Diesel, 500 Kero.	23702	✓	X 190350		500103
FEB	8	CK				X 181046	319257
	22	CK				X 190350	128707
MAR	14	Oil	24839	✓	X 93930		222637
APR	2	CK				X 93930	128707
	25	2000 Diesel	23847	✓	X 178300		307607
MAY	11	Oil	22132	✓	X 62038		369045
	17	CK				X 178300	190745
	24	CK				X 62038	128707
JUN	21	Oil & Grease	05309	✓	X 67480		196187
JUL	4	CK				X 67480	128707
	10	2000 Diesel, Oil	07756	✓	X 180840		309547
	31	CK				X 180840	128707
AUG	20	Oil	22068	✓	X 42898		171685
SEPT	6	CK				X 42898	128707
	21	2000 Diesel	06609	✓	X 239400		368107
OCT	2	Oil & Grease	07604	✓	X 64316		432423
	11	CK (Inv 06609)				X 239400	193023
	20	CK (Inv 07604) (Haver-The Mill)				X 64316	128707
	29	Oil	08253	✓	X 64850		193557
NOV	10	CK (Inv 08253)				X 64850	128707
	26	1500 Diesel, 500 Kero, Oil	22302	✓	X 283726		412433
DEC	8	Oil	22312	✓	X 24750		437183
	13	CK (Inv 22302)				X 283726	153457

37A-7700V

NAME WASHINGTON SERVICE STATION

CREDIT LIMIT Johnny or Lakin Cribfield

ADDRESS P.O. Box 2770 1220

TERMS

Subtract 21,013.73

Clendenin, W V. 25845

WILSON JONES  
FORM GN2-D N2-D

DATE  
1970

ITEMS

FOLIO ✓

DEBITS

CREDITS

BALANCE

DATE	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
Jan 1					31013.73
1	6000 LF 2700 Premium	23245	9194.40		40208.13
1	CK			9194.40	31013.73
25	4900 LG, 2700 P LG, 1100 Diesel	H 23120	9443.10		40456.83
25	CK			9443.10	31013.73
FEB 16	5300 LG, 2500 P LG, 900 Diesel ✓	H 22775	8769.30		39783.03
16	CK			8769.30	31013.73
MAR 7	6000 LG, 2700 P LG	23997	8587.20		39600.93
7	CK			8587.20	31013.73
30	6000 LG, 2700 P LG	24822	9169.10		40182.83
30	CK			9169.10	31013.73
APR 20	6000 LG, 2700 P LG	24896	9170.10		40183.83
20	CK			9170.10	31013.73
MAY 12	5600 LG, 2000 P LG, 1100 Diesel	H 24977	9408.10		40421.83
12	CK			9408.10	31013.73
31	6900 LG, 1800 P LG	27245	9431.05		40444.78
31	CK			9431.05	31013.73
JUN 22	4900 LG, 2700 P LG, 1100 Diesel	H 26866	9540.10		40553.83
23	CK			9540.10	31013.73
JUL 13	6000 LG, 2700 P LG	26884	9431.10		40444.83
13	CK			9431.10	31013.73
AUG 1	6000 LG, 2700 P LG	27803	9605.10		40618.93
1	CK			9605.10	31013.73
24	6000 LG, 2700 P LG	7344	12198.60		43212.33
24	CK			12198.60	31013.73
Sept 18	5000 LF 2700 PLF 1000 Diesel	H 25559	11822.65		42836.38
18	CK			11822.65	31013.73
Oct 11	8700 LG	25586	11930.40		42960.13

NAME

RATING

ADDRESS P.O. Box 1240

CREDIT LIMIT

Glendenin, W V 25045

TERMS

DATE 1930	ITEMS	FOLIO	DEBITS	CREDITS	BALANCE
10	5600 D.D., 2000 P.D., 1100 Divid	H 27421	12070 40		43084 13
10	CK			x 12070 40	31013 73
21	6000 I.F.	6698	7818 00		23195 73
5	CK			x 7818 00	31013 73
27	4000 D.D., 2000 P.D., 1000 Divid	H 27416	8311 00		39324 73
27	CK			x 8311 00	31013 73

SHEET NO. \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_

RATING \_\_\_\_\_

NAME Youngs' Service Station Texaco

CREDIT LIMIT \_\_\_\_\_

ADDRESS General Delivery

TERMS \_\_\_\_\_

Dille, WV 26617

WILSON JONES FORM GN2-D N2-D		DATE 19 <u>30</u>	ITEMS	FOLIO /	DEBITO	CREDITS	BALANCE
		FEB 5	1500 LF 500 PLF	10430	21510		21510
		5	CK			21510	-0-
		23	1500 2.2 500 P 2.2	10430	21210		21210
		23	CK			21210	-0-
		FEB 6	1500 2.2 500 P 2.2	23660	21460		21460
		6	CK			21460	-0-
		19	1500 2.2 500 P 2.2	24590	20270		20270
		19	CK			20270	-0-
		MAR 7	1500 2.2 500 P 2.2 55 <sup>(New)</sup> Kerosene (S. STA)	22601	21080		21080
		7	CK			21080	-0-
		20	1100 2.2, 900 P 2.2, 076.90	24800	208370		208370
		20	CK			208370	-0-
		21	1500 2.2 500 P 2.2	24118	210200		210200
		31	CK			210200	-0-
		APR 13	1200 2.2, 800 P 2.2	24877	215700		215700
		13	CK			215700	-0-
		26	1500 2.2, 500 P 2.2	24130	212700		212700
		26	CK			212700	-0-
		MAY 10	1500 2.2, 500 P 2.2	24660	217700		217700
		10	CK			217700	-0-
		24	1100 2.2, 900 P 2.2	24670	227700		227700
		24	CK			227700	-0-
		JUN 5	1500 2.2 500 P 2.2	23528	224700		224700
		5	CK			224700	-0-
		15	1100 LF 900 PLF	26703	220600		220600
		15	CK			220600	-0-
		30	1300 2.2 485 P 2.2 Antifreeze	15325	193880		193880
		30	CK			193880	-0-
		JUL 17	1500 2.2 500 P 2.2	26275	214100		214100
		17	CK			214100	-0-

MADE IN U.S.A.

ACCOUNT NO.

SHEET NO.

NAME Youngs' Service Station

RATING

ADDRESS General Delivery

CREDIT LIMIT

Dille, WY 26617

TERMS

DATE TO 32.	ITEMS	POLIC /	DEBITS	CREDITS	BALANCE
JUL 30	1785 A3, 700 Pd3. <i>Clearance</i>	07801	270366		270366
30	CK			270366	-0-
AUG 16	1500 A3, 500 Pd3	07885	259600		259600
16	CK			259600	-0-
SEPT 4	1500 A3, 500 Pd3	07874	263400		263400
4	CK - cash			263400	-0-
17	1500 A3, 500 Pd3	07886	270400		270400
17	CK			270400	-0-
29	1500 A3, 500 Pd3, 59mdKran (corrected + 60)	07531	295550		295550
29	CK			294050	1500
OCT 3	CK			1500	-0-
15	1500 A3, 500 Pd3	06737	281900		281900
15	CK			281900	-0-
31	1500 A3, 500 Pd3	08525	275900		275900
31	CK			275900	-0-
NOV 19	1500 A3, 500 Pd3	06186	271000		271000
19	CK			271000	-0-
DEC 14	2000 A3	07032	233600		233600
14	CK			233600	-0-
17	Credit Inv 07032 - priced incorrectly	08582		< 4000 >	< 4000 >

SHEET NO.

RATING

CREDIT LIMIT

TERMS

Willard M. Whorter

13 S. Main Ave.

Weston, WY 26452

269-7267

NAME

McWhorter Enterprises

ADDRESS P.O. Box 447

Jane Jan. 1969 26378

ACCOUNT NO.

"Point C Mart"

WILSON JONES FORM 6N2-D R2-D		DATE TO-20	ITEMS	FOLIO ✓	DEBITS	CREDITS	BALANCE
Jan	19	700 X3, 800 P X3	2446	1643.50		1643.50	
	19	CK			1643.50	-0-	
Feb	9	800 LF 700 PLE	2452	1627.90		1627.90	
	5	CK			1627.90	-0-	
MAR	1	1500 Pd.?	2461	1644.00		1644.00	
	1	CK			1644.00	-0-	
	27	1500 Pd?	2328	1516.50		1516.50	
	27	CK			1516.50	-0-	
Apr	27	600 LF 900 PLE	2383	1662.75		1662.75	
	27	CK			1662.75	-0-	
MAY	13	1500 X3	2491	1632.75		1632.75	
	18	CK			1632.75	-0-	
JUN	19	500 X3, 600 Pd.	2455	1224.35		1224.35	
	19	CK			1224.35	-0-	
JUL	10	900 X3, 600 Pd?	2178	1623.00		1623.00	
	16	CK			1623.00	-0-	
AUG	6	900 X3, 600 Pd.	2735	1821.75		1821.75	
	6	CK			1821.75	-0-	
	23	900 X3, 600 Pd.	2610	2118.00		2118.00	
	23	CK			2118.00	-0-	
Oct	26	900 LF 600 PLE	1825	2086.50		2086.50	
	26	CK			2086.50	-0-	
NOV	21	900 X3, 500 Pd.	2612	1912.00		1912.00	
	21	CK			1912.00	-0-	
DEC	15	900 X3, 600 Pd.	29105	1782.00		1782.00	
	15	CK			1782.00	-0-	

MADE IN U.S.A.

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA

J.C. BAKER & SON, INC.  
and BAKER OIL COMPANY,

Appellants,

Appeal No. 22-03-EQB

KATHERYN EMERY, P.C., DIRECTOR,  
DIVISION OF WATER AND WASTE  
MANAGEMENT, DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,

Appellee.

**CERTIFICATE OF SERVICE**

I, R. Terrance Rodgers, do hereby certify that I, on this 31<sup>st</sup> day of May, 2022, served the attached *Notice Of Appeal* via hand delivery to the Honorable Kenna M. DeRaimo, Clerk of the West Virginia Environmental Quality Board, 601 57<sup>th</sup> Street, S.E., Charleston, West Virginia 25304, and via regular United States mail, postage prepaid, in envelopes addressed as follows:

Office of Legal Services  
West Virginia Department of Environmental Protection  
601 57<sup>th</sup> Street, S.E.  
Charleston, West Virginia 25304

Katheryn Emery, P.E., Director  
Division of Water and Waste Management  
West Virginia Department of Environmental Protection  
601 57<sup>th</sup> Street, S.E.  
Charleston, West Virginia 25304

  
R. Terrance Rodgers (WVSB #3148)