

STATE OF INDIANA
BEFORE THE FIRE PREVENTION AND BUILDING
SAFETY COMMISSION

IN RE:)	CAUSE NO.
)	
McCLURE OIL)	DHS-1708-FPBSC-004
CORPORATION)	
)	
)	

NON-FINAL ORDER OF DISMISSAL

On June 14, 2017, the parties submitted the attached request for dismissal of the above-captioned administrative appeal. The request for dismissal states that the Petitioner obtained a variance, which has resolved this matter.

Accordingly, the Administrative Law Judge now enters this Non-Final Order of Dismissal. The ultimate authority in this matter is the Fire Prevention and Building Safety Commission. Indiana Code § 4-21.5-3-29(d) requires any party seeking to preserve an objection to this order for judicial review to file a written objection that

1. identifies the basis of the objection with reasonable particularity; and
2. is filed with the Commission within fifteen days (or any longer period set by statute) after this order is served.

In the absence of an objection from a party or notice from the Commission of its intent to review any issue related to this order, the Commission shall affirm this order in accordance with Indiana Code § 4-21.5-3-29(c). **This order will be considered by the Commission on July 6, 2017 at 9:00 a.m. (EDT), in Conference Center Room B, Indiana Government Center South, 302 West Washington Street, Indianapolis, IN 46204.**

Date: June 14, 2017


HON. CHELSEA E. SMITH
Administrative Law Judge
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Rm E208
Indianapolis, IN 46204
Telephone: (317) 234-8917
Fax: (317) 232-0146
E-mail: chesmith2@dhs.in.gov

A copy of the foregoing was served by U.S. Postal Service upon the following parties and attorneys of record:

Kelly McClure
General Offices and Master Distribution Center
Junction of Highways 35 and 37
P.O. Box 1750
Marion, IN 46952-8150

Stephen Jones
Pike Township Fire Department
4881 W. 71st Street
Indianapolis, IN 46268

and personally served on the following attorney of record:

Justin Guedel
Indiana Department of Homeland Security
302 W. Washington Street
Indiana Government Center South, Room E208
Indianapolis, IN 46204

Smith, Chelsea

RECEIVED
JUN 14 2017
BY: *CS*

From: Kelly McClure <kelly.mcclure@mcclureoilcorp.com>
Sent: Wednesday, June 14, 2017 2:22 PM
To: Smith, Chelsea
Cc: sdjones@pikefire.com; 'Rick McClure'; 'Tracy Wines'; 'Kelly McClure'
Subject: Cause DHS-1708-FPBSC-004
Attachments: 39 var appv.pdf

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To Hon. Chelsea E. Smith,

Cause No. DHS-1708-FPBSC-004. McClure Oil Corporation

We submitted for, and received, approval of the variance as suggested by Pike Township Fire in the cause number stated above. Pike Township was not attendance of todays previously scheduled hearing at 2:00 PM on 6/14/17. Being that we have satisfied the complaint with a variance (see attached) and expect no further action or requirements, we respectfully request dismissal of the matter.

Sincerely,

Kelly

Kelly A. McClure
President

McClure Oil Corporation
P.O. Box 1750
Marion, IN 46952

kelly.mcclure@mcclureoilcorp.com
Office Direct 765-677-9014
Corporate Office 765-674-9771 ext 214

From: Tracy Wines [mailto:tracy.wines@mcclureoilcorp.com]
Sent: Monday, June 12, 2017 11:24 AM
To: Rick McClure <rick.mcclure@mcclureoilcorp.com>; kelly mcclure <kelly.mcclure@mcclureoilcorp.com>
Subject: store 43 Variance approval

Attached is the DHS approval for our requested variance for store 43.
Thank you,

Tracy Wines
Director of Maintenance
McClure Oil Corp
765-677-9033 (off)
765-517-1373 (cell)
Tracy.wines@mcclureoilcorp.com

