

Penalty Actions Taken by the Department of Transportation for Violations of The Hazardous Materials Transportation Regulations

This publication summarizes penalty actions taken by the Department of Transportation for violations of the Hazardous Materials Regulations. The penalties are grouped by the administration conducting the enforcement action. Each case contains the name of the shipper, carrier, or person(s) involved, a description of the violation, reference to the regulation violated, and the penalty collected.

The penalties cited do not explain the mitigating or aggravating factors that, in accordance with the statutory assessment criteria, were considered in arriving at the final penalty. This accounts for penalty variations in cases that are somewhat factually similar.

TOTAL PENALTIES COLLECTED BY ADMINISTRATION BY FISCAL YEAR

	<u>FY 94</u>	<u>FY 95</u>	<u>FY 96</u>	<u>FY 97</u>
FAA - Air	1,737,549	1,554,575	1,163,188	1,507,030
FHWA - Highway	1,526,148	1,252,506	1,276,970	660,250
FRA - Rail	2,013,000	1,676,884	933,725	1,108,490
RSPA - Intermodal (Cases & Tickets)	838,918	1,138,285	853,537	1,379,418
USCG - Water	<u>642,710</u>	<u>1,829,700</u>	<u>1,048,716</u>	<u>1,110,986</u>
TOTALS	\$6,768,325	\$7,451,950	\$5,276,136	\$5,766,174

The regulations referenced in each case summary are codified in the appropriate regulations identified below:

- CFR Title 33, Navigation and Navigable Waters, Parts 1-109.
- CFR Title 46, Shipping, Parts 1-195.
- CFR Title 49, Transportation, Parts 100-199 and 300-399.
- International Civil Aviation Organization (ICAO) Technical Instructions for the Safe Transportation of Dangerous Goods by Air.

For questions concerning these actions, contact the following persons in the appropriate agency:

FAA - Allan Horowitz (202)267-3137

FRA - Tom Phemister (202)493-6050

FHWA - Steve Farbman (202)366-1358

RSPA - John O'Connell (202)366-4700

USCG - LT Tomas Sherman (202)267-6700