

BEFORE THE
UNITED STATES DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
OFFICE OF CHIEF COUNSEL

2:12

In the Matter of:

Allbrite Car Care Products, Inc.

Respondent.

PHMSA Case No. 04-087-SB-EA

DMS Docket No. PHMSA-2006-24213-1

ORDER OF THE CHIEF COUNSEL

This matter is before the Chief Counsel of the Pipeline and Hazardous Materials Safety Administration (PHMSA) for a determination regarding the Research and Special Programs Administration's (RSPA)¹ Notice of Probable Violation (Notice), issued to Allbrite Car Care Products, Inc., (Respondent) on February 10, 2004. The Notice formally initiated proceedings against Respondent for violations of the Hazardous Materials Regulations (HMR), 49 C.F.R. Parts 171-180. The Notice advised Respondent that PHMSA proposed to assess a civil penalty in the amount of \$18,075 for five violations of the HMR. Specifically, the Notice alleged that Respondent offered a hazardous material for transportation in commerce in unauthorized, non-specification packagings (plastic pails);² offered a hazardous material for transportation in commerce in used, plastic UN-standard drums, which had not been retested as required;³ offered a hazardous material for transportation in commerce in a UN standard packaging which had not

¹ This case, however, is no longer before RSPA for decision. Effective February 20, 2005, the Pipeline and Hazardous Materials Safety Administration (PHMSA) was created to further the highest degree of safety in pipeline and hazardous materials transportation. See Section 108 of the Norman Y. Mineta Research and Special Programs Improvement Act (Public Law 108-426, 118 Stat. 2423-2429 (November 30, 2004)); see also 70 Fed. Reg. 8299 (February 18, 2005) (redelegating the hazardous materials safety functions to the Administrator, PHMSA). For ease of reading and clarity, when an action occurred at RSPA this order will refer to PHMSA.

² Notice of Probable Violation, Violation 1: 49 C.F.R. §§ 171.2(a), 173.22(a)(2), 173.213(c).

³ Notice of Probable Violation, Violation 2: 49 C.F.R. §§ 171.2(a), 173.22(a)(2), 173.28(b)(2), and 173.203(c).

been properly closed (jerricans);⁴ failed to properly prepare shipping papers and failing to properly mark and label non-bulk packagings;⁵ and failed to provide general awareness/familiarization, function-specific, and safety training to hazmat employees.⁶

Background

As an initial matter, PHMSA must consider whether Respondent's business activities bring Respondent within the jurisdiction of this agency. As a function of its business, Allbright Car Care Products, Inc., manufactures hazardous materials – primarily cleaning chemicals – which it offers for transportation and transports in the United States. Therefore, Respondent is subject to the jurisdiction of the Secretary of Transportation, PHMSA's Associate Administrator for Hazardous Materials Safety, and PHMSA's Office of Chief Counsel.⁷

A. Inspection

On October 7 and 8, 2003, inspectors from the Office of Hazardous Materials Enforcement conducted a compliance inspection at Respondent's facilities in Anaheim, California. Mr. Jitu Jhaveri, President, represented the company during the inspection and provided requested documents.

The inspector observed and photographed several sizes of packages:

- 5-gallon, non-standard, openhead plastic pails containing "Wire Wheel Acid"
Markings: Compounds Cleaning Liquid, N.O.S. (Hydrofluric and Sulfuric Acid)
8, NA1760, PGIII, Corrosive, Emergency # 800-729-9960
Labels: corrosive
- 55-gallon UN1H1 drums containing "Wire Wheel Acid"
Certification: UN1H1/Y1.8/100/USA/M-4603/2.2MM

⁴ Notice of Probable Violation, Violation 3: 49 C.F.R. §§ 171.2(a), (e); 173.22(a)(2), (a)(4); and 173.203(c).

⁵ Notice of Probable Violation, Violation 4: 49 C.F.R. §§ 171.2(a); 172.200(a); 172.202(a)(1), (a)(5), (c); 172.203(b), 172.204(d)(1), 172.301(a), 172.312(a)(2), 172.400(a), and 172.604(a)(1).

⁶ Notice of Probable Violation, Violation 5: 49 C.F.R. §§ 171.2(a), 172.702(b), and 172.704(a), (d).

⁷ See 49 U.S.C. § 5103 (2005); 49 C.F.R. § 107.301 (2004).

- 5-gallon UN3H1 jerricans containing “Heavy Duty Acid”
Markings: Compounds Cleaning Liquid, N.O.S. (Hydrofluoric and Sulfuric Acid) 8, NA1760, PGIII, Corrosive, Emergency # 800-729-9960
Certification: UN3H1/Y1.8/100/03/USA/M-2042
Labels: corrosive
- Combination packagings comprised of a non-standard fiberboard box containing four 1-gallon bottles each containing “Wire Wheel Acid”
Markings: Compounds Cleaning Liquid, N.O.S. (Hydrofluoric and Sulfuric Acid) 8, NA1760, PGIII, Corrosive, Emergency # 800-729-9960; non-specification orientation arrows on box

Respondent provided the inspector with several recent shipping papers and other relevant documents, including:

- Packing slip, dated October 11, 2003 – twelve 1-gallon bottles of Wire Wheel Acid packaged in three fiberboard boxes containing four bottles each; four 5-gallon openhead plastic pails of Wire Wheel Acid; four 5-gallon UN standard jerricans; and one 55-gallon plastic drum of Wire Wheel Acid
- Invoice, dated September 17, 2003 – purchase of thirty used 55-gallon drums from Ed Burgeno
- Closure instructions from US Container for a wide variety of packagings

The inspector requested hazardous materials training documents for Respondent’s hazmat employees. Respondent was not aware of the requirement for hazardous materials training and was not able to produce any records showing its employees had received general/awareness, function-specific, or safety training.

At the end of the inspection, the inspector conducted an exit briefing with Respondent and explained the probable violations. The Exit Briefing documented eight probable violations and one quality control item.

In response to the exit briefing, Respondent sent a letter dated November 10, 2003, addressing corrective actions taken. Respondent stated it now provides all customers with a complete bill of lading for purchases of containers with a volume greater than or equal to five gallons. Respondent stated it lists the proper weight unit of measure and the proper shipping

name (without n.o.s.) on the bill of lading. Respondent also stated it now marks and labels all packages, including "private label material." Respondent provided a copy of an invoice showing the purchase of UN specification 5-gallon pails. Respondent also stated it had ordered appropriate torque wrenches for all of its packagings. Respondent stated it had purchased an air compressor to perform leak testing on all used UN drums and would properly certify and mark the drums following testing. Respondent said it had reviewed training material and would be providing that training to its employees. Finally, Respondent stated it was in the process of selecting a company to provide emergency response services.

With its letter, Respondent provided a copy of a bill of lading with a legible signature on the shipper's certification and with the unit of measurement in the weight column. The bill of lading listed two hazardous materials:

Compounds Cleaning Liquid, N.O.S. (Petroleum Distillates) 3, NA 1993, PG III,
FLAMMABLE, 1-800-729-9960
Compounds Cleaning Liquid, (Hydrofloric & Sulfuric Acids) 8, NA 1760, PG III,
CORROSIVE, 1-800-729-9960

Respondent also provided copies of markings for various packages.

B. Notice of Probable Violation

On February 10, 2004, the Office of Chief Counsel issued a Notice of Probable Violation (Notice) to Respondent, proposing a civil penalty in the amount of \$18,075 for five violations of the HMR. The Notice combined several shipping paper probable violations identified in the Exit Briefing into one shipping paper violation. PHMSA used the Penalty Guidelines set forth at Appendix A to 49 C.F.R. Part 107, subpart D, in calculating the civil penalty proposed in the Notice. The proposed penalty included a \$5,000 reduction for corrective actions taken by Respondent.

C. Informal Response

On May 10, 2004, Respondent submitted an informal response to the Notice, addressing each probable violation identified in the Notice. Respondent indicated it had never had any hazmat accidents or violations previously. Respondent also mentioned that all of the violations were related to its product known as Wire Wheel Acid.

Respondent stated it is now using UN-specification pails. Respondent claimed it used these more expensive pails rather than less expensive pails because they were "very sturdy." Respondent also stated it was "properly sealing" the pails.

Regarding its failure to leak test the used UN drums under pressure, Respondent stated that, although it did not check for leaks at 3 psi, it did check for leaks when it rinsed the drums and after filling and sealing the drums. Regarding proper closure of the drums, Respondent stated it "made sure all closures were properly sealed and tight enough for transportation vibrations" because it had problems in the past with closures coming loose.

Respondent stated that, although it did not prepare shipping papers for orders picked up by customers, it did prepare shipping papers for those transported by common carrier. Respondent indicated that it listed the weight of the materials, but it used the symbol "#" rather than an approved abbreviation to indicate the weight was in pounds.

Respondent stated the error in the hazard class for the material listed on the shipping papers and markings was inadvertent. Respondent stated that the previous owner of the company identified the material as packing group III, and Respondent continued to use the same hazard class. Respondent sent the material for testing immediately after the error was brought to its attention and is now using the correct packing group. Respondent noted that the error was detected by the OHME region chief, not the inspectors.

Respondent noted that, although the orientation arrows on the fiberboard boxes it used were not to DOT specification, the arrows were red and very prominent. Respondent believed that any layperson could see that the boxes should be stored upright.

Respondent claimed Mr. Jhaveri provided training to employees on a case-by-case basis. Respondent did not provide formal training and did not document the training, but Respondent claimed its employees were taught safe practices. Mr. Jhaveri created examples of paperwork for other employees to follow.

Respondent stated the Inspection report incorrectly characterized the emergency response telephone number listed on the shipping papers. Respondent stated that the phone number “given in our answering machine” is not Mr. Jhaveri’s home phone number as stated in the report. Instead the number is Mr. Jhaveri’s cell phone. As a result, calls would be answered “most of the time.” Respondent stated it had addressed the violation by contracting with Infotrac for emergency response telephone service.⁸

Respondent attached several other documents. Respondent attached a copy of the corrosivity test results showing the correct packing group for Wire Wheel Acid to be group II. Respondent also attached a copy of a December 12, 2003 letter⁹ sent to the OHME inspector, which documented corrective actions taken to date. The letter included photographs of equipment to be used for leakproofness testing, new torque wrenches, non-standard fiberboard boxes with ORM-D and DOT-specification orientation arrow markings.

⁸ Respondent’s December 12, 2003 correspondence indicated Respondent had contracted with Infotrac; however, the phone number listed in the December 2003 correspondence is different from the number listed in the May 2004 correspondence.

⁹ The original letter was not in the case file and was not considered in setting the penalty proposed in the Notice.

D. Other Correspondence

On August 22, 2005, the Office of Chief Counsel wrote a letter to Respondent apologizing for the delay in handling the case. The Office of Chief Counsel offered another opportunity for Respondent to provide any additional information, including any financial information Respondent would like considered for possible mitigation of the civil penalty. Respondent did not submit any additional information to consider.

Discussion

After testing, Respondent determined that its product Wire Wheel Acid should be classified as hazard class 8, packing group II. The complete proper shipping description for Wire Wheel Acid is: Compound, Cleaning, Liquid (hydrofluoric acid, sulfuric acid), 8, NA1760, PG II.

The shipping papers provided by Respondent show Respondent offered Wire Wheel Acid for transportation in commerce. Because several of the violations deal with packaging of the same product, Respondent asserts some of the violations are redundant. Respondent is incorrect. Each use of an unauthorized packaging for transporting a hazardous material in commerce is a violation.¹⁰ PHMSA could have charged Respondent with a violation for every unauthorized packaging used to ship hazardous materials in commerce, including every drum that had not been retested, every non-UN specification pail, and every packaging that was not properly closed.

Respondent shipped a PG II material in non-UN specification 5-gallon pails, in UN-specification 55-gallon drums that were used and not retested, and in 30-gallon drums that were not properly closed. Each of these constitutes a different type of violation. Each violation carries its own penalty. Rather than charging multiple counts of each violation, however,

¹⁰ 49 U.S.C. § 5123; 49 C.F.R. Part 107, Subpart D, Appendix A § IV.C.

PHMSA has determined to only charge one count of each type of violation to ensure Respondent resolves each unique problem¹¹. Respondent should note that, because PHMSA recognizes that these violations are similar, the baseline civil penalty proposed in the Notice for violations 2 and 3 was only twenty-five percent (25%) of the amount recommended in the Guidelines for Civil Penalties. Therefore, the baseline penalties for violations 2 and 3 in this case were already significantly discounted.

Violation 1

Respondent offered a 5-gallon tighthead pail containing Wire Wheel Acid for transportation in commerce on October 11, 2003. Respondent admitted it shipped a packing group II, hazard class 8 hazardous material in the non-UN specification pails. Respondent provided evidence of purchasing authorized packagings for shipments in the future. This corrective action was taken into consideration in setting the penalty proposed in the Notice.

Violation 2

Respondent offered three 55-gallon drums containing Wire Wheel Acid for transportation in commerce. Respondent provided a copy of an invoice for the purchase of used drums. The drums were not marked as having been retested, and Respondent admitted it did not retest the drums prior to using them to transport hazardous materials. Respondent admitted using these, or similar drums, in the shipment listed above. Respondent provided evidence of purchasing equipment to retest the drums.

Violation 3

In addition to requiring particular types of packagings, the HMR require packagings to be closed in accordance with the manufacturer's instructions. Failure to close a packaging as instructed compromises the integrity of the packaging, rendering it less safe than it has been

¹¹ See 49 C.F.R. Part 107, Subpart D, Appendix A § IV.C.

certified to be. Because the case file does not explain which closure instructions apply to the jerricans at issue in this case, I am dismissing the violation concerning proper closure of approved packagings. Without additional information, I cannot determine what the proper method of closing the jerricans is. Respondent should ensure it is closing all packagings in accordance with the appropriate manufacturer instructions.

Violation 4

The HMR provide specific instructions regarding communication of hazards presented by hazardous materials in transportation. The HMR requires non-bulk packagings containing hazardous materials to be marked with the proper shipping name and identification number. The HMR also requires a shipper to provide shipping papers to a carrier (common or private). The shipping papers must provide detailed information, including the shipping description (proper shipping name, hazard class, UN number, packing group, quantity, number/type of packages), an emergency response telephone number and a legibly signed shipper's certification statement. Respondent admitted it did not provide all carriers with shipping papers. Specifically, Respondent did not provide shipping papers to customers who picked up their purchases. In addition, the shipping papers Respondent provided to common carriers had a number of flaws, including listing incorrect shipping names, using improper abbreviations, and listing an emergency response telephone number that was not monitored at all times while the material was in transportation.

In addition to providing information on shipping papers, the HMR require the offeror to place markings and labels on non-bulk packages. Respondent offered hazardous liquids in non-UN-specification fiberboard boxes that did not have proper orientation arrows and that had an

incorrect shipping description. Respondent admitted it did not place hazard warning labels on “private label” non-bulk packagings or on Allbrite labeled products picked up by customers.

The HMR require shipments of hazardous materials to be accompanied by shipping papers. Those shipping papers are required to provide information about the hazardous materials, a shipper’s certification statement and an emergency response telephone number. The documents in the case file provided by Respondent show that Respondent did not provide the proper shipping name, the hazard class, the UN identification number or the packing group on the papers accompanying the shipments. Furthermore, the papers accompanying the shipments did not have the required shipper’s certification statement or an emergency response telephone number.

Violation 5

The HMR require all employees who directly affect hazardous materials transportation safety to receive hazardous materials training in the areas: general awareness/familiarization with the HMR, function-specific training, safety training, and security awareness training.¹² Respondent could provide no evidence of any hazmat employees having received any hazardous materials training and did not contest the violation cited in the Notice.

Quality Control Item

The HMR specifies the types of packagings authorized based upon the danger posed by a particular hazardous material. The inspector observed and photographed unauthorized combination packages containing a packing group II hazardous material.¹³ The outer packaging of the combination packaging was a non-UN standard box. This item was noted as a quality

¹² The requirement for security awareness training was relatively new at the time of the inspection; therefore, Respondent’s lack of security awareness training for its employees was cited as a quality control item. All hazmat employees must receive security awareness training, absolutely no later than March 24, 2006.

¹³ At the time of the inspection, the material was identified as packing group III. Therefore, the inspector believed the package qualified for the limited quantity exception from the packaging and labeling requirements.

control item in the Inspection/Investigation Report and was not cited in the Notice of Probable Violation; therefore, I am precluded from finding a violation and from imposing a penalty.

Based on the evidence of corrective action submitted by Respondent, several problems remain with Respondent's packaging. The box as depicted in the photograph does not meet the requirements of the HMR. The photograph depicts a non-UN standard fiberboard box marked as ORM-D. Markings on the box indicate it is designed to contain four plastic one-gallon bottles. Although the packaging requirements for ORM-D materials are less regimented, the basic packaging provisions of 49 C.F.R. §§ 173.24 and 173.24a apply. The inner packagings must be in "strong outer packagings" (49 C.F.R. § 173.154), which must be closed in such a way that "the effectiveness of the package will not be substantially reduced." 49 C.F.R. § 173.24(b)(2). Interweaving the flaps is likely to substantially reduce the effectiveness of the box in restraining the bottles, compared to closing the box using a more secure method (e.g., taping or stapling).

Even if the boxes photographed were properly closed, the package does not qualify for the ORM-D exception for Class 8 materials. To be shipped as ORM-D, the package must meet the definition of a consumer commodity and must meet the applicable limited quantity provisions. 49 C.F.R. § 173.154(c). The record is unclear regarding whether the one-gallon bottles would meet the definition of a consumer commodity.¹⁴

At the time of the inspection, Respondent had incorrectly classified the material as packing group III. Based on the testing Respondent had performed following the inspection, the proper packing group of the material is II. Even if the bottles are a consumer commodity, the limited quantity exception for hazard class 8 materials provides that the inner packaging for corrosive materials in packing group II may not exceed 1.0 L (0.3 gallon) net capacity for

¹⁴ A consumer commodity is "a material that is packaged and distributed in a form intended or suitable for sale through retail sales agencies or instrumentalities for consumption by individuals for purposes of personal care or household use." 49 C.F.R. § 171.8.

liquids. 49 C.F.R. § 173.154(b). Therefore, inner packagings (plastic bottles) of one gallon net capacity exceed the maximum quantity permitted under the limited quantity exception.¹⁵

Findings

Based on the facts detailed above, I find there is sufficient evidence to support a finding that Respondent knowingly violated the HMR as set forth in the opening to this Order, with regard to the violations identified in the Notice of Probable Violation as violations 1, 2, 4 and 5.¹⁶ In reaching this conclusion, I have reviewed the inspector's Inspection/Investigation Report and accompanying exhibits, the exit briefing, Respondent's replies, and all other correspondence in the case file. In particular, I note that Respondent did not challenge any of the factual allegations underlying the violations.

I am dismissing violation 3 from the Notice of Probable Violation for insufficient evidence.

Corrective Action

The civil penalty proposed in the Notice was adjusted to reflect corrective actions taken prior to the issuance of the Notice. Since that time, Respondent has submitted additional evidence of corrective action.¹⁷ The proposed penalty for violation 1 was reduced twenty-five percent (25%), the maximum reduction ordinarily granted for corrective action based on evidence received prior to issuance of the Notice.

¹⁵ Respondent states it also ships Wire Wheel Acid in quart containers. The record does not provide any additional information regarding those containers. Respondent is reminded that limited quantities are not excepted from shipping paper requirements. The HMR require Respondent to provide shipping papers to customers who pick up their hazardous materials unless the shipments qualify for the materials of trade exception or the ORM-D exception.

¹⁶ Respondent offered a hazardous material for transportation in commerce in unauthorized, non-specification packagings (plastic pails); offered a hazardous material for transportation in commerce in used, plastic UN-standard drums, which had not been retested as required; failed to properly prepare shipping papers and failed to properly mark and label non-bulk packagings; and failed to provide general awareness/familiarization, function-specific, and safety training to hazmat employees.

¹⁷ All reductions for corrective action are based on the original baseline penalty, not the amount proposed in the Notice, which may have already been reduced from the baseline.

Respondent provided photographs of the equipment it is using to perform the required leak testing of used drums. Therefore, the penalty for violation 2 is reduced by twenty percent (25%).

Although Respondent provided a “corrected” shipping paper, the sample is not in full compliance with the HMR. One item had an incorrect shipping name (extraneous “n.o.s.”). In addition, extraneous information was listed between the shipping description and the emergency response telephone number.¹⁸ The most recent sample stickers Respondent submitted appear to provide the marking information required by the HMR. Respondent stated it is providing shipping papers to customers picking up quantities of at least five gallons. Shipping papers are required for all shipments of hazardous materials unless a specific exception applies. Respondent should be providing shipping papers to customers picking up quantities of less than five gallons. The penalty proposed in the Notice reduced the penalty for violation 4 twenty-five percent (25%) from the baseline. No additional reduction is appropriate.¹⁹ This level of corrective action would not normally receive a twenty-five percent reduction; however, I am bound by the penalty proposed in the Notice.

Respondent provided documentation of some hazardous materials training for its hazmat employees. The Notice reduced the penalty five percent (5%) from the baseline. No additional mitigation is warranted. Although Respondent has produced some training records, the purpose of training is to ensure the safe transportation of hazardous materials. Respondent’s continued inability to correct its shipping papers and labels indicates that insufficient training has been provided. Although I commend Respondent for what appears to be extensive training in safe

¹⁸ The required shipping description does not include the name of the hazard class in capital letters. 49 C.F.R. § 712.202-203. Respondent may list the emergency response telephone number following the shipping description; however, the number must immediately follow the shipping description. 49 C.F.R. § 172.604(3)(i).

¹⁹ Respondent continues to improperly mark (see Quality Control item above) packages and to improperly prepare shipping papers.

handling of hazardous materials, PHMSA is concerned with the safe *transportation* of the hazardous materials, which includes ensuring that the materials are safely packaged and are clearly identified (through markings on the packagings and through the description on the shipping paper) in the event of an accident while in transportation. Respondent should obtain additional instruction in the basic requirements of the HMR.²⁰

Conclusion

Based on my review of the record, I have determined that Respondent committed five violations of the HMR as detailed in the opening section of this Order. The baseline penalty for the five violations is \$19,700. After mitigation for corrective action, the penalty is allocated as follows:

- Violation No. 1: \$3,750, as proposed in the Notice;
- Violation No. 2: \$935, reduced from \$1,250 in the Notice;
- Violation No. 3: dismissed;
- Violation No. 4: \$11,250, as proposed in the Notice; and
- Violation No. 5: \$1,140, as proposed in the Notice.

Although Respondent stated it is a small business, it has not responded to requests from the Office of Chief Counsel to provide financial information for consideration.

In assessing this civil penalty, I have taken into account the following statutory criteria (49 U.S.C. § 5123(c) and 49 C.F.R § 107.331):

1. The nature, circumstances, extent, and gravity of the violations;
2. with respect to the Respondent, its degree of culpability, any history of prior violations, its ability to pay, and any effect on its ability to continue to do business; and
3. other matters as justice may require.

²⁰ Although Respondent provided evidence of purchasing the Hazardous Materials Transportation Training Modules on cd-rom, Respondent did not provide any evidence of having actually studied those materials.

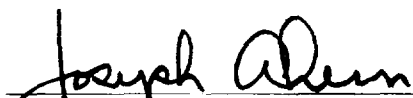
Accordingly, under the authority of 49 U.S.C. § 5123 and 49 C.F.R. §§ 107.317 and 107.329, I assess a total civil penalty of \$17,075 for four violations of the HMR.

Payment and Appeal

Respondent must either pay the civil penalty in accordance with the attached instructions (Addendum A), or appeal this Order to PHMSA's Administrator. If Respondent chooses to appeal this Order, it must do so in accordance with 49 C.F.R. § 107.325.²¹

This Order constitutes written notification of these procedural rights.

3/15/06
Date



Joseph Ahern
Acting Chief Counsel

Enclosure

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

²¹ The requirements of § 107.325 include the following: (1) File a written appeal within twenty (20) days of receiving this Order (filing effective upon *receipt* by PHMSA); (2) address the appeal to the Administrator, Pipeline and Hazardous Materials Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590-0001; and (3) state with particularity in the appeal (a) the findings in the Order that are challenged; and (b) all arguments for setting aside any of the findings in the Order or reducing the penalty assessed in the Order. The appeal must include all relevant information or documentation. See 49 C.F.R. § 107.325(c)(2). PHMSA will not consider any arguments or information not submitted in or with the written appeal. PHMSA will regard as untimely any appeal that is received after the twenty (20) day period, and it will not consider the request; therefore, PHMSA recommends the use of fax (202.366.7041) or an overnight service as documents received late will not be accepted.

CERTIFICATE OF SERVICE

This is to certify that on the 16th day of March, 2006, the Undersigned served in the following manner the designated copies of this Order with attached addendums to each party listed below:

Allbrite Car Care Products, Inc.
1201 N. Las Brisas St.
Anaheim, CA 92806
ATTN: Mr. Jitu Jhaveri

Original Order
Certified Mail – Return Receipt

Mr. Doug Smith
Office of Hazardous Materials Enforcement
Washington, D.C. 20590


One Copy
Internal E-Mail

Ms. Colleen Abbenhaus
Office of Hazardous Materials Enforcement
Eastern Region Office
Atlanta, GA 30303

One Copy
Internal E-Mail

U.S. DOT Dockets
U.S. Department of Transportation
400 Seventh Street, S.W., RM PL-401
Washington D.C. 20590

One Copy
Personal Delivery


Willard Walker