

**BEFORE THE
UNITED STATES DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION**

IN THE MATTER OF:

**Metro Welding Supply Corporation
(Respondent)**

**PHMSA CASE NUMBER
12-0141-SC-CE**

FINAL ORDER

By this Order, I find that Metro Welding Supply Corporation (Respondent) committed five (5) violations of the Hazardous Materials Regulations (HMR), 49 CFR Parts 171-180, and I assess Respondent a \$6,300 civil penalty.

On May 10, 2013, the Office of Chief Counsel issued a Notice of Probable Violation (Notice) to Respondent proposing a \$6,300 civil penalty for five (5) violations of the HMR. On May 22, 2013, Respondent submitted a payment in the amount of \$6,300. By paying the full amount of the civil penalty proposed in the Notice, Respondent admitted the violations as alleged in the Notice (49 CFR § 107.315). Therefore, I find that Respondent committed the violations as set forth in the Notice.

These violations shall constitute a prior violation under 49 U.S.C. § 5123 in the event Respondent commits any future violation of the Federal hazardous materials transportation law, 49 U.S.C. § 5101 et seq., or the HMR.

By paying the proposed civil penalty, Respondent waived all rights to further respond to the Notice and to appeal this Order. Accordingly, PHMSA accepts Respondent's May 22, 2013 payment in full satisfaction of the civil penalty proposed in the Notice and PHMSA shall close this case with prejudice.

Dated: 6/7/2013

It is so Ordered.


Vanessa L. Allen Sutherland
Chief Counsel

CERTIFICATE OF SERVICES

This is to certify that on the 10th day of June 2013 the undersigned served in the following manner the designated copies of this Order to each party listed below:

Mr. Frank Doran
Operations Manager
Metro Welding Supply Corporation
12620 Southfield Freeway
Detroit, Michigan 48223

Original Order
Certified Mail Return Receipt

Enforcement Officer
Office of Hazardous Materials Enforcement
1200 New Jersey Avenue, SE
Washington, DC 20590

One Copy
Electronic

Mr. Kipton Wills, Director
Hazardous Materials Enforcement Office
Central Region, PHH-43
2300 East Devon Avenue Suite 478
Des Plaines, IL 60018

One Copy
Electronic

Shawn C. Wolsey, Attorney
Pipeline and Hazardous Materials
Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

One Copy to File

U.S. DOT Dockets
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

One Copy
Personal Delivery



Jewel Smith