

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

IN THE MATTER OF:
Matheson Tri-Gas, Inc.
(Respondent)

PHMSA CASE NUMBER

12-0193-CR-EA

FINAL ORDER

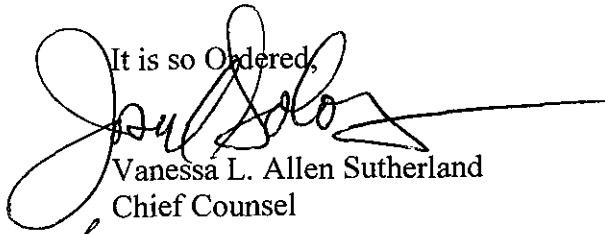
By this Order, I find that Matheson Tri-Gas, Inc. (Respondent) committed two (2) violations of the Hazardous Materials Regulations (HMR), 49 CFR Parts 171-180, and I assess Respondent a \$8,215 civil penalty.

On May 14, 2013, the Office of Chief Counsel issued a Notice of Probable Violation (Notice) to Respondent proposing a \$8,215 civil penalty for two (2) violations of the HMR. On June 10, 2013, Respondent submitted a payment in the amount of \$8,215. 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 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 June 10, 2013 payment in full satisfaction of the civil penalty proposed in the Notice and PHMSA shall close this case with prejudice.

Dated: 6/19/2013

It is so Ordered,

Vanessa L. Allen Sutherland
Chief Counsel
ba

CERTIFICATE OF SERVICE

This is to certify that on the 25th day of June 2013 the undersigned served in the following manner the designated copies of this Order to each party listed below:

Mr. William J. Kroll
CHM-CEO
Matheson Tri-Gas, Inc.
150 Allen Road #302
Basking Ridge, New Jersey 07920

Original Order
Certified Mail Return Receipt

James Reynolds, Acting Enforcement Officer
Office of Hazardous Materials Enforcement
1200 New Jersey Avenue, SE
Washington, D.C. 20590-0001

One Copy
Electronic

Ms. Colleen Abbenhaus, Director
Hazardous Materials Enforcement Office
Eastern Region, PHH-42
820 Bear Tavern Road Suite 306
West Trenton, NJ 08628

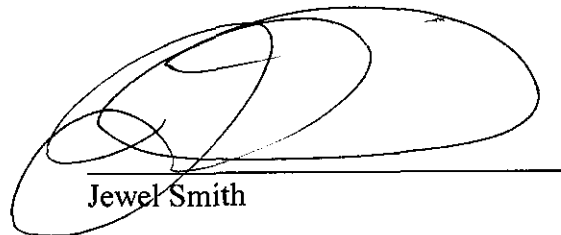
One Copy
Electronic

Aris Generette, Attorney
Pipeline and Hazardous Materials
Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

One Copy to File

U.S. DOT Dockets
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590-0001

One Copy
Personal Delivery



Jewel Smith