

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

IN THE MATTER OF:
 Akzo Nobel Coatings, Inc. (Respondent)

PHMSA CASE NUMBER

12-0177-BMS-EA

FINAL ORDER

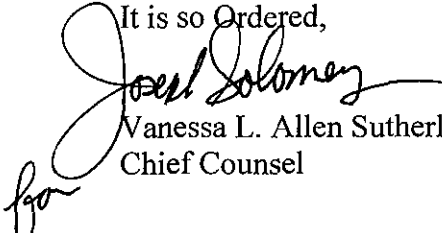
By this Order, I find that Akzo Nobel Coatings, Inc. (Respondent) committed two (2) violations of the Hazardous Materials Regulations (HMR), 49 C.F.R. Parts 171-180, and I assess Respondent a \$10,687 civil penalty.

On February 8, 2013, the Office of Chief Counsel issued a Notice of Probable Violation (Notice) to Respondent proposing a \$10,687 civil penalty for two (2) violations of the HMR. On February 20, 2013, Respondent submitted a payment in the amount of \$10,687. By paying the full amount of the civil penalty proposed in the Notice, Respondent admitted the violations as alleged in the Notice (49 C.F.R. § 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 February 20, 2013 payment in full satisfaction of the civil penalty proposed in the Notice and PHMSA shall close this case with prejudice.

Dated: 2/27/2013

It is so Ordered,

Vanessa L. Allen Sutherland
Chief Counsel

CERTIFICATE OF SERVICE

This is to certify that on the 26th day of February 2013 the undersigned served in the following manner the designated copies of this Order to each party listed below:

Mr. A.B. Ghosh
President
Akzo Nobel Coatings, Inc.
2031 Nelson Miller Parkway
Louisville, KY 40223-2138

Original Order
Certified Mail

Enforcement Officer
Office of Hazardous Materials Enforcement
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One Copy
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Washington, DC 20590-0001

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Jewel Smith