

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

IN THE MATTER OF:
Hagemeyer North America (Respondent)

PHMSA CASE NUMBER

12-0201-CR-SO

SUPERSEDING FINAL ORDER

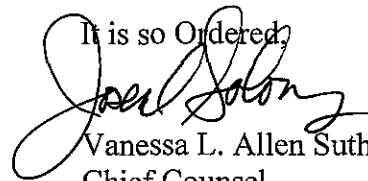
By this Order, I find that Hagemeyer North America (Respondent) committed two (2) violations of the Hazardous Materials Regulations (HMR), 49 CFR Parts 171-180, and I assess Respondent a \$9,600 civil penalty.

On February 26, 2013, the Office of Chief Counsel issued a Notice of Probable Violation (Notice) to Respondent proposing a \$9,600 civil penalty for two (2) violations of the HMR. On March 11, 2013, Respondent submitted a payment in the amount of \$9,600. 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 March 11, 2013 payment in full satisfaction of the civil penalty proposed in the Notice and PHMSA shall close this case with prejudice.

Dated: 3/20/2013

It is so Ordered,

Vanessa L. Allen Sutherland
Chief Counsel

CERTIFICATE OF SERVICE

This is to certify that on the 21st day of March 2013 the undersigned served in the following manner the designated copies of this Order to each party listed below:

Ms. Lisa Mitchell
CEO
Hagemeyer North America
1460 Tobias Gadson Blvd.
Charleston, SC 29407

Original Order
Certified Mail

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

One Copy
Electronic

Mr. John Heneghan, Director
Hazardous Materials Enforcement Office
Southern Region, PHH-46
233 Peachtree Street NE, Suite 602
Atlanta, GA 30303

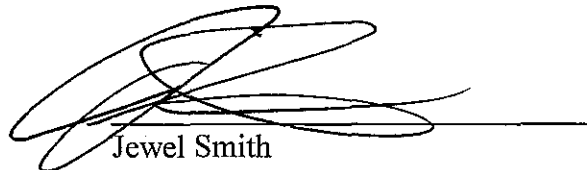
One Copy
Electronic

Adam Horsley, 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
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Jewel Smith