

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

<b>IN THE MATTER OF:</b>
 <b>Tire Seal, Inc.</b>  <b>(Respondent)</b>  

PHMSA CASE NUMBER

12-0204-SB-SO

**FINAL ORDER**

**By this Order, I find that Tire Seal, Inc. (Respondent) committed three (3) violations of the Hazardous Materials Regulations (HMR), 49 C.F.R. Parts 171-180, and I assess Respondent a \$12,680 civil penalty.**

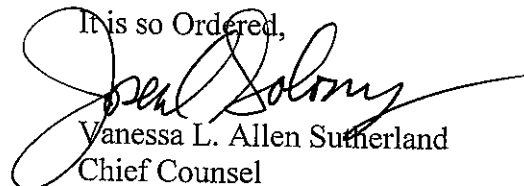
On February 26, 2013, the Office of Chief Counsel issued a Notice of Probable Violation (Notice) to Respondent proposing a \$12,680 civil penalty for three (3) violations of the HMR. On March 5, 2013, Respondent submitted a payment in the amount of \$12,680. By paying the full amount of the civil penalty 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 5, 2013 payment in full satisfaction of the civil penalty proposed in the Notice and PHMSA shall close this case with prejudice.

Dated: 3/12/2013

It is so Ordered,

  
Vanessa L. Allen Sutherland  
Chief Counsel

## CERTIFICATE OF SERVICE

This is to certify that on the 13<sup>th</sup> day of March 2013 the undersigned served in the following manner the designated copies of this Order to each party listed below:

Mr. Mark Eggen  
President  
Tire Seal, Inc.  
3574 Corona Street  
Lake Worth, FL 33461

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  
Personal Delivery

  
Jewel Smith