



Malco Products, Inc.

16-1784-TR-CVF

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FILE

August 22, 2016

Public Utilities Commission of Ohio
Attn: Docketing Division
180 East Broad Street
Columbus, OH 43215-3793

Re: Request for Administrative Hearing
Case No. OH0563007184S2

PUC.O

2016 AUG 25 PM 2:58

To Who it may Concern:

Please accept this letter as our written request for an Administrative Hearing with the Commissions Docketing Division pursuant to rule 4901:2-7-13, O.A.C. in reference to the above listed Case Number.

Also, as required please find attached the Notice of Preliminary Determination. The signee of this letter should be considered the contact person to whom further communications regarding this matter are to be directed.

Sincerely,

Scott Fryer, WC/EHS
Malco Products, Inc.

cc: Tim White, Malco Products
Bill Dodd, Malco Products
John Arvay, Malco Products

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician AK Date Processed 8/25/16



Public Utilities Commission

John R. Kasich, Governor
Asim Z. Haque, Chairman

Commissioners

Lynn Slaby
M. Beth Trombold
Thomas W. Johnson
M. Howard Petricoff

08/07/2016

OH0563007184S2

Scott Fryer

361 FAIRVIEW AVE

BARBERTON, OH 44203

RE: **NOTICE OF PRELIMINARY
DETERMINATION**

Case No. OH0563007184S2

Dear Sir or Madam:

On 06/21/2016, a vehicle operated by 365 GROUP INC, and driven by KRASSIMIRE P IVANOV, was inspected within the State of Ohio. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified MALCO PRODUCTS, INC. (Respondent) pursuant to rule 4901:2-7-07, Ohio Administrative Code (O.A.C.), that it intended to assess a civil forfeiture against the Respondent in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
172.201A1	-	Hazardous Materials not distinguished from non-Hazardous Materials	450.00
		Total Hazmat	450.00

TOTAL AMOUNT DUE: \$450.00

A conference was conducted pursuant to rule 4901:2-7-10, O.A.C., at which the Respondent had a full opportunity to present any reasons why the violation did not occur as alleged, mitigating circumstances regarding the amount of any forfeiture, and any other information relevant to the action proposed to be taken by Staff.

As a result of the conference, Staff has made a Preliminary Determination that the Commission should assess a civil forfeiture against MALCO PRODUCTS, INC. in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
172.201A1	-	Hazardous Materials not distinguished from non-Hazardous Materials	450.00
		Total Hazmat	450.00

180 East Broad Street
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(614) 466-3016
www.PUCO.ohio.gov





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TOTAL AMOUNT DUE: \$450.00

Within 30 days of this notice, you must **either**: (1) pay the assessed civil forfeiture **or** (2) file a written request for an administrative hearing pursuant to rule 4901:2-7-13, O.A.C. Failure to file a written request for an administrative hearing within 30 days shall constitute a waiver of your right to further contest the violations and will conclusively establish the occurrence of the violations. Such failure shall also constitute a waiver of your right to further contest liability to the state of Ohio for the civil forfeiture described in the notice and will result in the forfeiture amount being referred to the Ohio Attorney General's office for collection.

Please consult the enclosed instruction sheet for additional information regarding this Notice of Preliminary Determination.

Sincerely,

Milan Orbovich, Director
Transportation Department

Compliance Officer: Michael Hines

