

FILE

18

PUCO EXHIBIT FILING

Date of Hearing: 9-9-13

Case No. 13-1138-TR-CVF

PUCO Case Caption: In the Matter of Robbie D. Wood, Inc, Notice of Apparent Violation and Intent to Assess Forfeiture

List of exhibits being filed:

- Step 1 - Inspection Report
- Step 2 - Forfeiture Assessment Matrix
- Step 3 - Civil Forfeiture Violations chart, Nature and Gravity Points
- Step 4 - History of Violations
- Step 5 - Notice of Apparent Violation and Notice of Preliminary Determination

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2013 SEP 23 PM 2:50

PUCO

Reporter's Signature: Aus Sillion

Date Submitted: 9-16-13

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Technician MN Date Processed SEP 23 2013

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the matter of :  
Robbie D. Wood, Inc., :  
Notice of Apparent : Case No. 13-1138-TR-CVF  
Violation and Intent :  
to Assess Forfeiture. :

- - -

PROCEEDINGS

Before Ms. Sarah Parrot, Hearing Examiner, at  
the Public Utilities Commission of Ohio, 180  
East Broad Street, Columbus, Ohio, Hearing Room  
11C, on Monday, September 9, 2013, at 10:00 a.m.

- - -

ARMSTRONG & OKEY, INC.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215-5201  
(614) 224-9481/(800) 223-9481  
Fax (614) 224-5724

- - -

DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3296013596  
 Inspection Date: 2/21/2013 Certification Date:  
 Time Started: 07:55 Time Ended: 08:55  
 Inspection Level: I - Full Inspection  
 HM Inspection Type: Non-Bulk Inspection

ROBBIE D WOOD INC  
 PO BOX 125  
 DOLOMITE, AL 35061  
 USDOT #: 130504 Phone #: (205)744-8440  
 MC/MX #: 142393 Fax #:  
 State #:

Driver: LANCE, JERRY L  
 License #: 119131804 State: TN  
 Date of Birth: 10/05/1963

Location: WADSWORTH SCALES MilePost: 5  
 Highway: IR76 Origin: UNCASVILLE, CT Bill of Lading: 005592886FLE  
 County: MEDINA Destination: CINCINNATI, OH Cargo: HAZ MAT (ALL)  
 Shipper: SUBURBAN PROPANE

VEHICLE IDENTIFICATION:											
Unit	Type	Make	Year	State	License#	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Stkr.#
1	TT	KW	2007	AL	1062035	319	1XKTDB8X57J171110	50,000		18146872	
2	ST	GDAN	1999	AL	A002906	1345NJ	1GRAA0623XS053404	65,000			YES

BRAKE ADJUSTMENTS:					
Axle #	1	2	3	4	5
Right	7/8	1	1 1/8	7/8	1
Left	5/8	1	1	7/8	1
Chamber	C-20	C-30	C-30	C-30	C-30

VIOLATIONS :							
Vio Code	Section	Unit	OOS	Citation #	Verify*	Crash	Violation Description
172.504A	172.504(a)	2	Y		U	N	Vehicle not placarded as required 5.1 OR DANGEROUS PLACARD REQUIRED

\* U - Unknown

HazMat: 3 Flammable, 5.1 Oxidizer, 8 Corrosive Material, Placard: Yes Cargo Tank:

- Special Checks:
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Alcohol/Controlled Substance Check | <input type="checkbox"/> Traffic Enforcement       | <input type="checkbox"/> Post Crash Inspection |
| <input type="checkbox"/> Conducted by Local Jurisdiction    | <input type="checkbox"/> PASA Conducted Inspection | <input type="checkbox"/> PBBT Inspection       |
| <input type="checkbox"/> Size and Weight Enforcement        | <input type="checkbox"/> Drug Interdiction Search  | Arrests:                                       |

Inspection Notes:

Special Study Fields:

- |                 |                  |
|-----------------|------------------|
| Special Study1: | Special Study6:  |
| Special Study2: | Special Study7:  |
| Special Study3: | Special Study8:  |
| Special Study4: | Special Study9:  |
| Special Study5: | Special Study10: |

Locally Defined Fields:

Loaded by Carrier (Y/N): Y	Loaded by Shipper (Y/N): N
Ship Docs Prep by Carrier(Y/N): N	Ship Doc Prep by Shipper(Y/N): Y
Haz Class A: 8	ID # A: 2794
Packing Group A: III	Gross Weight A: 3649 LBS
Haz Class B: 3	ID # B: 1230
Packing Group B: II	Gross Weight B: 220 GALS
HW (B): Y	Haz Class C: 5.1
ID # C: 1493	Packing Group C: II
Gross Weight C: 40 LBS	For-Hire Carrier: Y
Driver Address: 478 BRYAN RD	Driver City: HILLSBORO

Report Prepared By: M R Lambert Badge #: 3296 Copy Received By: LANCE, JERRY L Page 1 of 2



DRIVER/VEHICLE EXAMINATION REPORT



Report Number: OH3296013596
Inspection Date: 2/21/2013 Certification Date:
Time Started: 07:55 Time Ended: 08:55
Inspection Level: I - Full Inspection
HM Inspection Type: Non-Bulk Inspection

ROBBIE D WOOD INC
PO BOX 125
DOLOMITE, AL 35061
USDOT #: 130504 Phone #: (205)744-8440
MC/MX #: 142393 Fax #:
State #:

Driver: LANCE, JERRY L
License #: 119131804 State: TN
Date of Birth: 10/05/1963

Table with 2 columns: Driver State: TN, Driver Zip: 37342, Photos Taken (Y/N): Y, Reason Code: ISSS, FMCSA Credentials Verified(Y/N): Y, CDL Verified (Y/N): Y, FMCSA OOS Order Issued(Y/N): N, HM Safety Permit Verified(Y/N): N

\* Pursuant to authority contained in Title 49, Code of Federal Regulations, Section 396.9, I hereby declare vehicles with defects followed by an "Y" in the "Out of Service" column in the violations discovered section of this report OUT OF SERVICE. No person shall remove the out of service stickers applied to these vehicles, or operate such vehicles until the out of service defects have been repaired and the vehicles have been restored to safe operating condition.

All violations of the FHMR and FMCSR or Title 49 of the Ohio Revised Code will be reviewed by the PUCO's Transportation Department to determine whether civil forfeitures should be assessed against any responsible parties in accordance with the penalty provisions of Title 49 of the Ohio Revised Code. If civil forfeitures are assessed, you will receive a separate notice by mail. These penalties may be assessed to motor carriers, shippers, and/or drivers.

ATTENTION DRIVER: This report must be sent to the motor carrier whose name appears at the top of this inspection report within 24 hours. If the inspection report cannot be delivered within 24 hours the driver must mail or fax the inspection report to the motor carrier.

ATTENTION MOTOR CARRIER: The motor carrier must examine this report and repair all the vehicle defects/violations noted above -AND- The motor carrier must sign the Certification of Repairs below and return the signed form to: Public Utilities Commission of Ohio, TASD - 4th floor, 180 E Broad St, Columbus, OH 43215-3793 -OR- Fax (614) 752-9274 within 15 days of the inspection. If "No Violations Were Discovered" then you do not need to return this report. Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000. If you have any questions, please contact (614) 466-0429.

MOTOR CARRIER CERTIFICATION OF COMPLETED REPAIRS: The undersigned certifies that all violations noted on this report have been corrected and action taken to assure compliance with the Federal Motor Carrier Safety & Hazardous Materials Regulations insofar as they are applicable to motor carriers and drivers. A false certification of repairs is required to be prosecuted with penalties up to \$10,000.

Signature of Carrier Official: X Title: Date:

Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000.

Signature of Repairer: X Facility: Date:

Report Prepared By: M R Lambert

Badge #: 3296

Copy Received By: LANCE, JERRY L



# FORFEITURE ASSESSMENT

REPORT # 3296013596 COMPLETED BY T FORBES

REPORT DATE : February 21, 2013 DATE ASSESSED 02/25/13

RESPONDENT : Robbie D Wood Inc CARRIER CITED

History 4

	VIOLATION CODE/ DESCRIPTION	172.504A Missing placards 4 of 4 - 5.1			
	NATURE GRAVITY 0 -10 PTS.	6	0	0	0
	EXTENT OF VIOL. -10 TO +10 PTS.	0	0	0	0
	ACTUAL HARM 0 - 20 PTS.	0	0	0	0
	OTHER CIRCUMST. -10 TO +10 PTS.	0	0	0	0
(A)	SUBTOTAL POINTS 0-50 PTS.	6	0	0	0
(B)	MATERIAL HAZARD	1.2	0	0	0
(C)	AMOUNT OF MATERIAL	0.4	0	0	0
(D)	SUBTOTAL POINTS = A*(B+C)	9.60	0.00	0.00	0.00
(E)	RESPONDENT CULPABILITY	1	1	1	1
(F)	RESPONDENT HISTORY 1,2, OR 4	4	1	1	1
(G)	TOTAL POINTS = D*E*F	38.40	0.00	0.00	0.00
	FORFEITURE ASSESSED AMOUNT = G * \$100.00	\$3,840.00	\$0.00	\$0.00	\$0.00

**Civil Forfeiture Violations Chart  
Nature & Gravity Points**

**10 points      Leaking Container Violations**

- 10      Package integrity failure  
Package valves and closures not securely closed

**6-8 points      Packaging, Segregation, & Handling Violations**

- 8      Segregation & Loading  
Non-specification or non-performance packaging  
HM Vehicle attendance  
Relative motion among HM packages  
Over 5% outage in propane home storage tank in transportation
  
- 6      Specification/performance packaging does not meet req.  
(CT Double bulkhead drain/vent plugged 3 Pts)  
Bulk package weight or temperature exceeds that allowed by specification  
Packaging qualification and maintenance violations – CT test marking not displayed or CT tests not completed (Cargo Tanks: 6 points for first test/insp. Not Conducted OR DISPLAYED; +1 extent for each additional cargo tank Test/inspection not conducted OR DISPLAYED)  
LPG Cargo Tank handheld remote shutoff inoperable  
Violation of PHSMA Special Permit requirements  
CT manual remote shutoff inoperable  
Fail to have a HM Safety Permit on file as required.  
HM Training Not As Required  
(-2 extent for each completed, ie. Awareness)

**6 points      Hazard Communication Violations**

- 6      Proper HM placards not offered/affixed  
(+6 for each additional hazard class missing)  
(1 not affixed=NAV, +1 extent for each additional)  
Proper HM markings not offered/affixed  
(+6 for each additional hazard class missing)  
(1 not affixed=NAV, +1 extent for each additional)  
No proper HM shipping paper  
(+1 extent 172.203 violations for PIH, DWW; +3  
For each technical names per 172.203 (c) or (k)  
\*\*each element worth 1 point  
\*\*If 1 element missing = NAV  
Packages offered/accepted without proper HM markings  
(+1 for required additional info)

Packages offered/accepted without proper HM labels  
(+6 for subsidiary hazard class)  
Hazardous waste manifest not as required  
Misrepresenting hazmat present on vehicle

**4 Points      Hazardous Material Handling Violations**

4      Failure to secure packages (no movement)

**3 Points      Hazardous Communications Violations**

3      HM shipping papers – no technical names per 172.203 (c) or (k)  
HM Marking – no technical name  
Emergency response information (Subpart G) not as required  
    \*\* No Written ER info  
    \*\* No telephone no.  
No emergency marking on CT emergency remote shutoff  
Package not marked with special permit number when required  
No emergency discharge procedure with LPG CT  
Fail to maintain a copy of the HM safety Permit on the vehicle when required

**2 Points      Hazardous Communications Violations**

2      Displaying a sign (drive safely, ect.) that could be confused with a  
Placard, as per 172.502 –NAV if only 1

**3 Points      Shipping Paper/ER Information Accessibility**

3      Shipping papers/ER information not accessible  
HM shipping papers not tabbed or first  
HM entries not distinguished

**0 Points      Minor Hazard Communication Violations**

0      Placard/marketing/labeling visibility & display  
No ltd. Qty, RQ, DOT-E on shipping papers  
Unauthorized abbreviation used in proper shipping name  
Tech. Name not in association with proper shipping name – (out of  
sequence, not in parenthesis)  
Minor shipping description sequence  
“UN” instead of “NA”  
Minor typographical errors  
One placard visibility & display  
CT Part 180 marking not properly placed

**1-5 Points FMCSR Handling Violations**

- 5 No route plan for radioactive materials or explosives  
No emergency plan for radioactive materials
- 4 Failure to comply with local routing requirements  
Locking devices on an intermodal container not secure while transporting hazardous materials  
Non-English speaking driver
- 2 Railroad grade crossing violations – Only cite carrier for 2<sup>nd</sup> RR violation within a 24 month period. Issue NAV for first violation.
- 1 Failure to comply with local or state laws

**2-3 Points FMCSR Violations (Must meet specific CVSA OOS Criteria)**

- 3 Inoperative brake OOS  
Hours of service violation  
Ill or fatigued driver  
Unauthorized passenger  
Failure to have proper Commercial Drivers License  
– Includes improper class, endorsement or operating in violation of restriction or in violation of learners permit
- 2 Slider handle assembly-Pin OOS; missing/broken OOS  
5<sup>th</sup> wheel OOS Violation  
Frame stress cracks OOS  
Air brakes system (reserve pressure loss) OOS
- 1 Brake/Pushrod adjustment or defective brakes  
If 20% of brakes out of adjustment or defective = 1 point violation  
If > 20 % out of adjust., +1 extent for each full brake out of adjust or defective.  
Broken leaf spring or spring hanger OOS  
Defective air suspension system - OOS  
Inoperative low air warning device OOS violation
- 0 Driver Smoking  
Log Book Violations – form & manner only

**0-1 Points FMCSR Violations (Must be 2 or more OOS Violations) –**

- 1 Brake pad violations OOS  
Cracked wheel/tire rim OOS  
Other OOS Suspension Violations



Cut tire OOS  
 Worn tire, cord showing, OOS Violation, 4/32" & 2/32"  
 Lug nuts missing, OOS violation

- 0 Stoplights out OOS
- Emergency brake inoperable
- Improperly attached cargo tank appurtenance
- No emergency equipment
- Failure to carry Part 397 on vehicle placarded Class 1
- Flat tire, OOS violation
- Leaking tire OOS violation
- Blocking and bracing of non-HM

**1-4 points FMCSR Driver Violations**

- 4 Failure to stop at check point
- Driving after consumption of alcohol or controlled substance
- Driving while disqualified
- Failure to stop at railroad grade crossing
  
- 3 Improperly parked HM vehicle
- Possession of alcohol or controlled substance upon a CMV
  
- 1 No log book OOS
- Falsification of log book OOS
- Late log book OOS
- No or improper commercial driver's license –
- Driver smoking
- Seat belt violation
- Radar detector in use/possession
- Unauthorized passenger

**ADDITIONAL ASSESSMENTS**

Insurance violation	\$500.00 - C
Scope & Authority violation	\$500.00 - C
Avoiding or Bypass inspection	\$500.00 - D
Uniform HM Permit violation	\$500.00 - C
Uniform HW Permit violation	\$1,000.00 - C
Driving after being placed out of service	\$1,000.00 - D
Unified Carrier Registration (UCR)	\$100.00 - C

Chart Effective Date: On Inspection Occurring After October 1, 2008

## MATERIAL HAZARD CHART

<u>POINTS</u>	<u>HAZARD CLASS/DIV.</u>
1.5	1.1 2.3 6.1 7 Any PIH
1.3	1.2 1.3 4.3
1.1	2.1 3 4.1 4.2
0.9	5.1 5.2 8
0.7	1.4 1.5
0.5	1.6 2.2 PGIII (Combustible Liq.) 6.2 9 ORM-D

### Point Modifiers

PGI = + .3

PGII = 0.0

PGIII = - .3

Hazardous Waste = +.1

Hazardous Substance = + .1

MARPOL = + .1

## HAZARDOUS AMOUNT CHART

<u>POINTS</u>	<u>AMOUNT (WEIGHT)</u> Pounds/Kilograms
1.0	35,000+ lbs 15,876+ kg (Cargo Tank w/flammable – Class 3 & 2.1)
0.6	10,000 – 34,999 lb. 4,536 – 15,875 kg
0.4	1,000 – 9,999 lb. 454 – 4,535 kg
0.2	<1,000 lb < 454 kg Residue (Not Flammable)
Less	
0.1	If package < 100 lb./45 kg
0.2	If package < 5 lb./2 kg

34 HM INSPECTIONS BETWEEN 3/1/11 AND 2/28/13

INSPECTION NUMBER	INSPECTION DATE	NIF SENT	NAV SENT
3296011234	20-Apr-2011	28-Apr-2011	28-Apr-2011
3211301731	22-Apr-2011		
3202305218	6-Jul-2011		
3287003019	19-Jul-2011		
3207301057	18-Jul-2011	8-Sep-2011	8-Sep-2011
3247008436	26-Aug-2011		
3202305252	8-Sep-2011		
3204302799	9-Sep-2011		
3221301042	8-Sep-2011		
3202305257	16-Sep-2011	29-Sep-2011	29-Sep-2011
3209301059	27-Sep-2011	13-Oct-2011	13-Oct-2011
3256009524	11-Oct-2011		
1577003879	17-Oct-2011		31-Oct-2011
3204302819	14-Oct-2011	27-Oct-2011	27-Oct-2011
3247008613	9-Nov-2011		
9432300551	2-Nov-2011	17-Nov-2011	17-Nov-2011
3229008626	6-Dec-2011		
3292000435	1-Dec-2011	20-Jan-2012	20-Jan-2012
3292000439	7-Dec-2011	15-Dec-2011	15-Dec-2011
3274012143	6-Jan-2012	20-Jan-2012	20-Jan-2012
3202305328	20-Jan-2012	2-Feb-2012	2-Feb-2012
3266006497	3-Feb-2012		
3280003335	29-Feb-2012		
3202305358	6-Mar-2012		19-Mar-2012
0619000052	12-Apr-2012		
1251000135	26-Apr-2012		15-May-2012
3205005757	24-Jul-2012		
3297008020	4-Oct-2012		
9432300646	1-Nov-2012		
3202305532	5-Dec-2012		
3287003281	30-Nov-2012		
0438003414	13-Dec-2012		
3258004834	16-Jan-2013	31-Jan-2013	31-Jan-2013
3296013596	21-Feb-2013	28-Feb-2013	28-Feb-2013

18 HM VIOLATIONS IN DATE RANGE

HISTORY REPORT FOR OMC NUMBER

ROBBIE D WOOD INC 3296011234 20-Apr-2011  
172.504A \$900.00 \$0.00 1 Vehicle not placarded as required VEHICL  
TOTALS: \$900.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$900.00 PAY DATE: 11-May-2011 REQ CONF:  
NIFSENT: 28-Apr-2011 NIF REC: CONF DATE:  
SETTLE: EG: ER: RESENT: OFF: MH  
SSDATE: NAVS: 28-Apr-2011 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3207301057 18-Jul-2011  
177.834A \$760.00 \$0.00 1 Package not secure in vehicle- Drum of C  
173.24B1 \$1900.00 \$0.00 1 Release of Hazardous Materials from pack  
TOTALS: \$2660.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$2660.00 PAY DATE: 21-Sep-2011 REQ CONF:  
NIFSENT: 8-Sep-2011 NIF REC: CONF DATE:  
SETTLE: EG: ER: RESENT: 8-Sep-2011 OFF: TF  
SSDATE: NAVS: 8-Sep-2011 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3209301059 27-Sep-2011  
173.24B \$0.00 \$0.00 1 Failed to meet general package requireme  
177.817E \$450.00 \$0.00 1 Shipping paper: 20 shipping papers, of w  
TOTALS: \$450.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$450.00 PAY DATE: 27-Oct-2011 REQ CONF:  
NIFSENT: 13-Oct-2011 NIF REC: CONF DATE:  
SETTLE: EG: ER: RESENT: OFF: MH  
SSDATE: NAVS: 13-Oct-2011 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3204302819 14-Oct-2011  
177.834A \$760.00 \$0.00 1 Package not secure in vehicle- Pails and  
TOTALS: \$760.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$760.00 PAY DATE: 17-Nov-2011 REQ CONF:  
NIFSENT: 27-Oct-2011 NIF REC: CONF DATE:  
SETTLE: EG: ER: RESENT: OFF: TF  
SSDATE: NAVS: 27-Oct-2011 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 9432300551 2-Nov-2011  
172.600C \$450.00 \$0.00 1 Emergency Response information not immed  
172.326C1 \$900.00 \$0.00 1 No ID# marking on vehicle carrying porta  
172.506A1 \$0.00 \$0.00 1 Placards not affixed to vehicle danger p  
172.516C5 \$0.00 \$0.00 1 Placard not reading horizontally carrier  
172.516C6 \$0.00 \$0.00 1 Placard damaged, deteriorated, or obscur

TOTALS: \$1350.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$1350.00 PAY DATE: 28-Nov-2011 REQ CONF:  
NIFSENT: 17-Nov-2011 NIF REC: CONF DATE:  
SETTLE: EG: ER: RESENT: OFF: TP  
SSDATE: NAVS: 17-Nov-2011 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3292000435 1-Dec-2011

VIOL

CODE FORFEITURE AGREED DESCRIPTION

177.817E \$1320.00 \$0.00 4 Shipping paper accessibility (see notes)

TOTALS: \$1320.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$1320.00 PAY DATE: 24-Feb-2012 REQ CONF: 30-Jan-2012  
NIFSENT: 20-Jan-2012 NIF REC: CONF DATE:  
SETTLE: 24-Feb-2012 EG: ER: RESENT: OFF: AM  
SSDATE: NAVS: 20-Jan-2012 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3292000439 7-Dec-2011

177.817E \$510.00 \$0.00 1 Shipping paper accessibility HM shipping

TOTALS: \$510.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$510.00 PAY DATE: 23-Dec-2011 REQ CONF:  
NIFSENT: 15-Dec-2011 NIF REC: CONF DATE:  
SETTLE: EG: ER: RESENT: OFF: TF  
SSDATE: NAVS: 15-Dec-2011 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3274012143 6-Jan-2012

172.602A \$1800.00 \$1800.00 4 Emergency Response information missing,

TOTALS: \$1800.00 \$1800.00 IN DEFAULT? -->  
PAYMENT: \$1800.00 PAY DATE: 24-Feb-2012 REQ CONF: 30-Jan-2012  
NIFSENT: 20-Jan-2012 NIF REC: CONF DATE: 22-Feb-2012  
SETTLE: 8-Feb-2012 EG: ER: RESENT: OFF: MH  
SSDATE: 10-Feb-2012 NAVS: 20-Jan-2012 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3202305328 20-Jan-2012

177.817E \$1560.00 \$1560.00 4 Shipping paper accessibility \*see remark

TOTALS: \$1560.00 \$1560.00 IN DEFAULT? -->  
PAYMENT: \$1560.00 PAY DATE: 7-Mar-2012 REQ CONF: 30-Jan-2012  
NIFSENT: 2-Feb-2012 NIF REC: CONF DATE: 22-Feb-2012  
SETTLE: 8-Feb-2012 EG: ER: RESENT: OFF: MH  
SSDATE: 10-Feb-2012 NAVS: 2-Feb-2012 NPDS:

DOCK#: DATE:

ROBBIE D WOOD INC 3202305358 6-Mar-2012  
171.2A \$0.00 \$0.00 1 Failure to comply with Hazardous Materia  
TOTALS: \$0.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$0.00 PAY DATE: REQ CONF: 25-Mar-2012  
NIFSENT: NIF REC: CONF DATE: 11-Apr-2012  
SETTLE: 5-Apr-2012 EG: S ER: RESENT: OFF: MH  
SSDATE: 9-Apr-2012 NAVS: 19-Mar-2012 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3258004834 16-Jan-2013  
177.834A \$680.00 \$0.00 1 Package not secure in vehicle - No secur

VIOL  
CODE FORFEITURE AGREED DESCRIPTION

TOTALS: \$680.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$680.00 PAY DATE: 13-Feb-2013 REQ CONF:  
NIFSENT: 31-Jan-2013 NIF REC: CONF DATE:  
SETTLE: EG: ER: RESENT: OFF: TP  
SSDATE: NAVS: 31-Jan-2013 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC 3296013596 21-Feb-2013  
172.504A \$3840.00 \$0.00 4 Vehicle not placarded as required 5.1 OR  
TOTALS: \$3840.00 \$0.00 IN DEFAULT? -->  
PAYMENT: \$0.00 PAY DATE: REQ CONF: 4-Mar-2013  
NIFSENT: 28-Feb-2013 NIF REC: CONF DATE: 18-Apr-2013  
SETTLE: EG: ER: RESENT: OFF: TF  
SSDATE: NAVS: 28-Feb-2013 NPDS:  
DOCK#: DATE:

ROBBIE D WOOD INC  
PO BOX 125 DOLOMITE AL 35061  
TOTAL ASSESED: \$15830.00

TOTAL HAZMAT VIOLATION COUNT: 18



**Public Utilities  
Commission**

John R. Kasich, Governor  
Todd A. Snitchler, Chairman

Commissioners  
Steven D. Lester  
Andre T. Porter  
Lynn Siacy

February 28, 2013

3296013596C  
ROBBIE D WOOD INC  
Bruce Fallaw  
1051 OLD WARRIOR RIVER ROAD  
P.O. BOX 125  
DOLOMITE, AL 35061

RE: NOTICE OF APPARENT VIOLATION  
AND INTENT TO ASSESS FORFEITURE  
Case No. 3296013596C

Dear Sir or Madame:

On February 21, 2013, vehicle numbers 319 (UNIT #1), 1345NG (UNIT #2), operated by ROBBIE D WOOD INC, and driven by JERRY L LANCE were inspected within the State of Ohio. As the result of discovery of the following apparent violation, of rule 4901:2-5-02, O.A.C., the Commission intends to make a civil monetary assessment against ROBBIE D WOOD INC in the following amount:

CODE	UNIT	VIOLATION	FORFEITURE
172.504A	2	Vehicle not placarded as required 5.1 OR DA	\$ 3840.00

You are urged to take corrective action immediately concerning these violations and to take appropriate measures to ensure that they not repeated. Within 30 days, you must pay the forfeiture or send a written request for conference. Failure to pay the forfeiture or send a written request for conference within 30 days will result in this forfeiture amount being referred to the Attorney General for collection.

Please consult the enclosed additional information on the instruction sheet in regard to your rights and responsibilities concerning this Notice of Apparent Violation and Notice of Intent to Assess Forfeiture.

Sincerely,  
Jonathan Frye, Chief  
Compliance Division  
Public Utilities Commission of Ohio  
614-466-0351

TF





**Public Utilities  
Commission**

John R. Kasich, Governor  
Todd A. Snitchler, Chairman

Commissioners

Steven D. Lesser  
Andre T. Porter  
Lynn Staby  
M. Beth Trombold

April 29, 2013

MR BRUCE FALLAW  
ROBBIE D WOOD INC  
1051 OLD WARRIOR RIVER ROAD  
PO BOX 125  
DOLOMITE, AL 35061

RE: NOTICE OF PRELIMINARY DETERMINATION  
Case No. 3296013596C  
Officer:

Dear MR FALLAW:

On February 21, 2013 , a vehicle operated by ROBBIE D WOOD INC, and driven by JERRY L LANCE, was inspected within the State of Ohio. As the result of discovery of the following apparent violation the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code	Violation
172.504A	Vehicle not placarded as required 5.1 OR DANG \$ 3840.00

Total Forfeiture Assessed :

A conference was conducted pursuant to Rule 4901:2-7-10(B), 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.

(continued)



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April 29, 2013  
MR BRUCE FALLAW  
ROBBIE D WOOD INC  
3296013596C

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As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against ROBBIE D WOOD INC in the following forfeiture:

Code	Violation
172.504A	Vehicle not placarded as required 5.1 OR DANG \$ 3840.00

Total Forfeiture Agreed :

Please include a certified check or money order for the N.P.D. forfeiture total, made payable to "Treasurer State of Ohio," and mail to: PUCO FISCAL, 180 E. Broad St, 4th floor, Cols. OH 43215-3793. FOR PROPER CREDIT, BE SURE TO PUT THE CASE NUMBER ON THE FACE OF THE CHECK.

Please consult the enclosed additional information concerning this Notice of Preliminary Determination.

Milan Orbovich, Director  
Transportation Department  
Public Utilities Commission of Ohio