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Manufacturer of Metal Roofing, Siding and Custom Metal Solutions

September 16, 2021

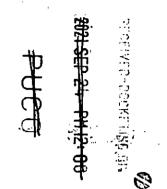


Public Utilities Commission of Ohio

ATTN: Docketing Division

180 E. Broad Street, 11th Floor

Columbus, Ohio 43215-3793



RE: Notice of Preliminary Determination, Case No. OH322005114C

Dear Sir or Madam:

We received notice of Preliminary Determination regarding Case No. OH322005114C. Enclosed with this letter, please find a copy of a diagram as a visual reference for our review request and the Notice Dated September 9, 2021. We would like to submit request for further review of the following violation(s).

CODE	GROUP	VIOLATION	Review Requested
393.48	Group 1	Inoperative/defective brakes	Please Review – Nothing to resolve
393.48	Group 1	Inoperative/defective brakes	Please Review – Nothing to resolve
393.48	Group 1	Inoperative/defective brakes	Please Review – Nothing to resolve
393.48	Group 1	Inoperative/defective brakes	Please Review – Nothing to resolve
393.47	Group 1	Inadequate brakes for safe stopping – Brake Lining Condition	Agree – Brake Lining issue resolved

On the trailer in question, for above listed violation Code 393.48 (4 instances), the Dexter Axle 10k-12k /Disc brakes were inspected and the shoulder screw was noted to our driver as the issue as the shoulder screw was not locked in and had movement. Shoulder bolts, or shoulder screws, have a long, unthreaded, cylindrical shoulder that allows for the rotation of attached parts like pulleys, gears, moving parts of engines and mechanical assemblies, and rolling wheels. (Please see the diagram as a visual.) We would appreciate further consideration on the 4 violations listed under Code 393.48 for this reason.

We thank you for your time and should there be further questions, can make a part of our staff available. Our Main number is 740-254-4567, with offices open from 8AM-5PM, Monday through Friday, with our Maintenance/Mechanic staff leaving at approximately 3pm each day.

We appreciate your further consideration and opportunity for review.

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.

Thank you,

Technician

__Date Processed_

,UC

CI SEP 28 AM II:

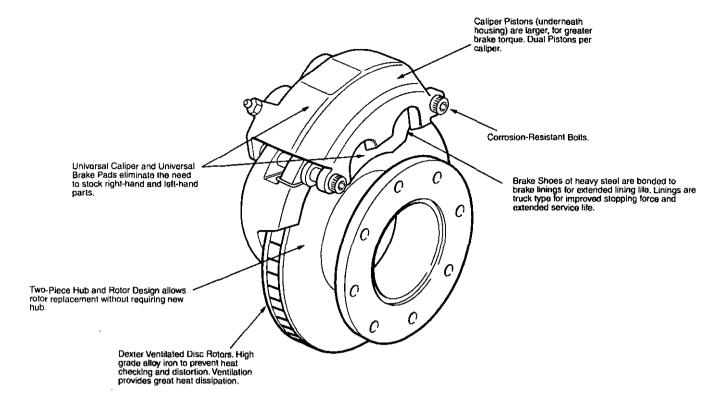
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Heather E. Crews

Human Resources

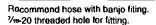
10,000 and 12,000 Lb. Hydraulic Disc Brake

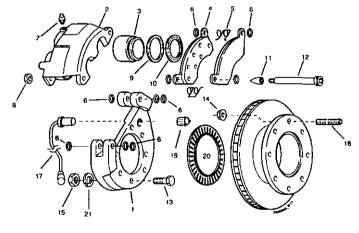




Hydraulic Disc Brake Parts

ltem	Description	Qty/Brake	10K, 12K
1	Anchor Yoke Assembly (includes 6 of item #6)	1	090-002-02
2	Caliper Assembly (includes items #6, 3, 9, 10)	1	089-002-02
3	Caliper Piston	2	054-066-00
12	Shoulder Screw 1/6 x 5	2	007-186-00
13	Hex Screw 1/16-20 x 1.75	7	007-116-00
14	Flange Nut	8	006-046-00
15	Hex Nut 7/16-20	7	006-017-00
16	Rotor Mounting Stud	8	025-014-00
17	ABS Sensor (straight)	1	097-004-00
19	ABS Sensor Retaining Clip	1	097-002-00
20	ABS Tone Ring	1	024-203-00
21	Lock Washer	7	005-008-00
Calipe	er Repair Kit Contains:	1	K71-181-00
6	O' Ring	4	010-062-00
7	Bleeder Screw	1	054-069-00
9	Caliper Seal	2	054-067-00
10	Dust Boot	2	054-068-00
Disc E	Brake Replacement Pad Kit Contains:	1	K71-180-00
4	Brake Pad	4	091-003-00
5	Anti-Rattle Spring	4	046-105-00
6	*O* Ring	20	010-062-00
В	Hax Lacknut	4	006-125-00
11	Installation Tool	1	071-182-00



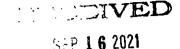




Commissioners

M. Beth Trombold Lawrence K. Friedeman Dennis P. Deters Daniel R, Conway

September 9, 2021



Vic Hottinger 6850 Edwards Ridge RD SE Uhrichsville, OH 44683

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3220005114C

Dear Sir or Madam:

On 08/02/2021, a vehicle operated by NORTH STAR METALS MFG CO, and driven by, KERNS, SCOTT A was inspected within the state of Ohio. As a result of discovery of the following violation(s) of the Commission's rules, Staff of the Commission timely notified NORTH STAR METALS MFG CO pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against NORTH STAR METALS MFG CO in the following amount:

CODE	GROUP	VIOLATION	<u>FORFEITURE</u>
393.48 A	Group 1	Inoperative/defective brakes	\$ 0.00
393.48 A	Group 1	Inoperative/defective brakes	\$ 0.00
393.48 A	Group 1	Inoperative/defective brakes	\$ 0.00
393.48 A	Group 1	Inoperative/defective brakes	\$ 0.00
393.47 A	Group 1	Inadequate brakes for safe stopping - Brake Lining condition	\$ 0.00
	Group 1	Group 1 Violations	\$ 250.00
		Original Amount Due:	\$250.00

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which NORTH STAR METALS MFG CO had a full opportunity to present reasons why the violation(s) 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 the Staff.



As a result of the conference, staff has made a preliminary determination that the commission should assess a civil forfeiture against NORTH STAR METALS MFG CO in the following amount:

CODE	<u>GROUP</u>	VIOLATION	<u>FORFEITURE</u>
393.48 A	Group 1	Inoperative/defective brakes	\$ 0.00
393.48 A	Group 1	Inoperative/defective brakes	\$ 0.00
393.48 A	Group 1	Inoperative/defective brakes	\$ 0.00
393.48 A	Group 1	Inoperative/defective brakes	\$ 0.00
393.47 A	Group 1	Inadequate brakes for safe stopping - Brake Lining condition	\$ 0.00
	Group 1	Group 1 Violations	\$ 250.00
		New Amount Due:	\$250.00

Within 30 days of this notice you must <u>either</u>; 1) pay the assessed civil forfeiture <u>or</u>, 2) submit a written Request for an Administrative Hearing.

Failure to comply with either option above shall constitute a waiver of your right to further contest the violation(s) and will conclusively establish the occurrence of the violation(s). 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. In addition, your Ohio operating authority and/or commercial driving privileges may be sanctioned as permitted by law.

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

Sincerely,

John D. Williams, Director Transportation Department

cc: Mark Banks





NOTICE OF PRELIMINARY DETERMINATION

Please read these instruction sheets carefully. They contain information about your rights and responsibilities in regard to this "Notice of Preliminary Determination."

You have received a "Notice of Preliminary Determination" as described in 4901:2-7-12, Ohio Administrative Code (OAC). Within 30 days of this notice you must either; 1) pay the assessed civil forfeiture or, 2) submit a written Request for an Administrative Hearing. If you do not pay the forfeiture or request a hearing within 30 days of this notice, your case will be placed in our default process. Additionally, your Ohio operating authority and/or your commercial driving privileges may be sanctioned as permitted by law.

How to pay the forfeiture

Online

https://www.puco.ohio.gov/sc/mcos/ Enter the case number and PIN located on the enclosed involce. Mail

Public Utilities Commission of Ohio

Attn: Fiscal Section

180 E. Broad Street, 4th Floor Columbus, Ohio 43215-3793

Send check/money order (no foreign checks/money orders) made payable to "Public Utilities Commission of Ohio". To ensure proper credit, write the case number on the face of the check or money order.

* Payments cannot be completed by telephone

How to make a Request for an Administrative Hearing

If you wish to further contest the violations described in this notice, you should file a "Request for an Administrative Hearing" with the Commission's Docketing Division as described in Rule 4901:2-7-13, OAC.

Your "Request for an Administrative Hearing" must be in writing and must contain the case number found at the top of the "Notice of Preliminary Determination." Also, please include the contact name, address, and telephone number of the person to whom further communications should be directed. The request shall be signed by the Respondent or the Respondent's authorized representative. A copy of the "Notice of Preliminary Determination" must be attached to your request.

Your "Request for an Administrative Hearing" must be mailed or hand-delivered within 30 days of this notice to the following address:

Public Utilities Commission of Ohio

ATTN: Docketing Division 180 E. Broad Street, 11th Floor Columbus, Ohio 43215-3793

Failure to submit a Request for Administrative Hearing

If you do not serve a timely "Request for an Administrative Hearing" in the manner described above, you will forfeit your right to further contest the violations described in this notice and the occurrence of the violations will be conclusively established. 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 this notice and will result in the forfeiture amount being referred to the Ohio Attorney General's Office for collection. Also, your Ohio operating authority and/or your commercial driving privileges may be sanctioned as permitted by law.

Codes, Violation Groups, and Forfeiture Amounts

"Code" in this notice identifies the rule violated. Numbers in a 100 or 300 series refer to specific sections of the Hazardous Materials Regulations or the Federal Motor Carrier Safety Regulations located in Title 49 of the Code of Federal Regulations (CFR). Some section numbers may have suffixes beyond those appearing in the CFR. These are used for internal data collections purposes. Codes in other formats refer to violations of Ohio's statutes or regulations.

"Violations Group" identifies the assigned numerical group (1-4) for the violation for purposes of calculating the civil forfeiture. Section 4923.99, Ohio Revised Code (ORC) authorizes the Public Utilities Commission of Ohio to assess civil forfeiture up to \$25,000 for each day of each violation. The amount of any forfeiture is dependent upon the nature, gravity, circumstances, and extent of the violation, the offender's degree of culpability for the violation, and the offender's violation history. "Total Amount Due" is the total amount of the civil forfeiture assessed for all violations described in this notice.



ATTENTION DRIVER

Potential Disqualification

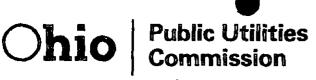
If the roadside inspection leading to this letter identified an alleged violation of one or more of the below noted regulations, your CDL may be disqualified. If the Public Utilities Commission of Ohio (PUCO) finds you committed a violation of any of these regulations, the violation will be treated as a conviction¹ for the purposes of federal and state law and notice of such conviction will be forwarded to the Ohio Bureau of Motor Vehicles (BMV). The BMV may disqualify you from operating a commercial motor vehicle for a minimum of 60 days. Any BMV sanction is <u>in addition to</u> sanctions imposed by the PUCO.

177.80483 177.804(b)(3) Failure to comply with 49 CFR Section 392.82 Using a Cell Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placarding. 177.804(c) 177.804(c) Failure to comply with 49 CFR Section 392.82 Using a Handheld Mobile Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placardin. 25-07D 392.2 Operating a CMV where Driver or Vehicle declared out of service. 383.2134(2) S83.23(a)(2) Operating a CMV while CDL is suspended for a non-safety-related reason and in the state of driver's license Issuance. 383.51A-383.51A-383.51(a) Driving a CMV while CDL is suspended for a non-safety-related reason and outside the state of driver's license Issuance. 383.51A-383.51A-383.51(a) Driving a CMV while CDL is suspended for a non-safety-related or unknown reason and in state of driver's license Issuance. 383.51A-383.51A-383.51(a) Driving a CMV while CDL is suspended for a non-safety-related or unknown reason and in state of driver's license Issuance. 383.51A-383.51A-383.51(a) Driving a CMV while CDL is suspended for a safety-related or unknown reason and outside the state of driver's license Issuance. 383.51A-383.51A-383.51(a) Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license Issuance. 383.51A-383.51A-383.51(a) Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license Issuance. 383.51A-383.51A-383.51(a) Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license Issuance. 383.51A-38	177.80482 177.804(b)(2) Failure to comply with 49 CFR Section 392.80 Texting While Operating a CMV When Transporting Select Agent or Toxins or HM Requiring Placarding. 177.80483 177.804(b)(3) Failure to comply with 49 CFR Section 392.82 Using a Cell Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placarding. 177.804C 177.804(c) Failure to comply with 49 CFR Section 392.82 Using a Pandheld Mobile Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placarding. 177.804C 177.804(c) Failure to comply with 49 CFR Section 392.82 Using a Pandheld Mobile Phone While Operating a CMV When Transporting Select Agents or Toxins or HM Requiring Placard. 25-07D 392.2 Operating a CMV while CDL Toxins or HM Requiring Placard. 383.234A2 383.23(a)(2) Operating a CMV while CDL operating a CMV while CDL operating a CMV while CDL is suspended for a non-safety-related reason and in the state of driver's license issuance. 383.51A 383.51(a) Driving a CMV while CDL is suspended for a non-safety-related reason and outside the state of driver's license issuance. 383.51A 383.51(a) Driving a CMV while CDL is suspended for a safety-related or unknown reason and in state of driver's license issuance. 383.51A 383.51(a) Driving a CMV while CDL is suspended for a safety-related or unknown reason and outside the state of driver's license issuance. 383.51A 383.51(a) Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license issuance. 383.51A 383.51(a) Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license issuance. 383.51A 383.51(a) Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license issuance. 383.51A 383.51(a) No passenger whicle endorsement on CDL when required. 383.51A 383.51(a) No passenger whicle endorsement on CDL when required. 383.51A 383.51(a) Driving a CMV while disqualified.			
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¹ Federal regulations define "conviction" as, "... a determination that a person has violated or failed to comply with the law ... by an authorized administrative tribunal, ... the payment of a fine or court cost, ... regardless of whether or not the penalty is rebated, suspended, or probated." 49 CFR 383







Jenifer French, Chair, Chairman

M. Beth Trombold Lawrence K. Friedeman Dennis P. Deters Daniel R. Conway

NORTH STAR METALS MFG CO

P O BOX 309

GNADENHUTTEN, OH 44629-0309

Invoice #: 21-00069341

Date:

09/08/2021

Due Date: 10/08/2021

PIN #:

AZPDKNOR

Case #:

OH3220005114C

2021

Item#	Туре	Description	Amount Due
INVD-	Civil Forfeiture Non	Inoperative/defective brakes	\$ 0.00
0174461	HazMat		
INVD-	Civil Forfeiture Non	Inoperative/defective brakes	\$ 0.00
0174462	HazMat		
INVD-	Civil Forfeiture Non	Inoperative/defective brakes	\$ 0.00
0174463	HazMat		
INVD-	Civil Forfeiture Non	Inoperative/defective brakes	\$ 0.00
0174464	HazMat	ii	
INVD-	Civil Forfeiture Non	Inadequate brakes for safe stopping - Brake	\$ 0.00
0174465	HazMat	Lining condition	
INVD-	Civil Forfeiture Non	Group 1 Violations	\$ 250.00
0174466	HazMat	}	
		Payments Received	\$ 0.00
	 	Total Amount Due	\$ 250.00

Please visit https://www.puco.ohio.gov/sc/mcos/ to make your online payments.

Questions concerning this invoice should be addressed to our call center at 1-800-686-7826.

(Remittance for mailed check payment)

Please make checks payable to:

Public Utilities Commission of Ohio

PO BOX 715343

Cincinnati, OH 45271-5343

NORTH STAR METALS MFG CO

P O BOX 309

GNADENHUTTEN, OH 44629-0309

Invoice #: 21-00069341

Date:

09/08/2021

Due Date: 10/08/2021



