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FILE

Monday, May 16, 2005

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street, 13th Fl
Columbus, Ohio 43215 3793

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CONTRANS CORP
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2005 MAY 17 PM 12:22

PUCO

05-644-TR-CV7

REGARDING: Request for Administrative Hearing
Case Number: 3222300632C

Laidlaw Carriers Van GP Inc would like to request an Administrative Hearing to discuss the violations listed in the above Case Number. A conference was scheduled to discuss this issue but Laidlaw Carriers Van GP Inc was not notified of the conference until after the scheduled date.

A copy of the Notice of Preliminary Determination and the reasons that Laidlaw Carriers Van GP Inc requested the initial conference are included with this letter.

Sincerely,
Laidlaw Carriers Van GP Inc.


Bill Preece
Director of Business Development,
Regulated Materials

*Attachments: Conference Schedule Notice of March 3, 2005
Letter of November 29, 2004 requesting the conference
Notice of Preliminary Determination, Dated April 22, 2005*

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 *SH* Date Processed MAY 17 2005



The Public Utilities Commission of Ohio

*Monitoring marketplaces and enforcing rules to
assure safe, adequate, and reliable utility services*

Bob Taft, Governor
Alan R. Schriber, Chairman

Commissioners
Ronda Hartman Fergus
Judy A. Jones
Donald L. Mason
Clarence D. Rogers, Jr.

March 3, 2005

MR BILL PREECE
DIRECTOR OF BUS DEV LAIDLAW CARRIERS VAN GP INC
PO BOX 1210
WOODSTOCK, ON N4S

COPY

RE: CONFERENCE SCHEDULED TO BE HELD
Case No. 3222300632C
Inspection Date 23-SEP-2004
LAIDLAW CARRIERS VAN GP INC

RECEIVED MAR 15 2005

DEAR MR PREECE:

Your letter requesting a conference to discuss a civil forfeiture which the Commission intends to assess against LAIDLAW CARRIERS VAN GP INC has been received by the PUCO Transportation Department's Civil Forfeiture Division. Your conference has been scheduled as follows:

Please call Christina Ross of the Civil Forfeiture Division on Tuesday, March 15, 2005 at 09:00 AM Eastern Standard Time at (614) 466-0246.

If you cannot participate in the conference on this date and time, please contact the Civil Forfeiture Division as soon as possible.

Sincerely,
Jonathan Frye, Chief
Compliance Division
Public Utilities Commission of Ohio

cc: Christina Ross

Monday, November 29, 2004

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CONTRANS CORP

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215-3793

2005 MAY 17 PM 12: 29 Sent by Fax to: 614-466-2753

PUCO

**REGARDING: Request for Conference
Case No.: 3222300632C**

Attention: Amanda

Laidlaw Carriers Van GP Inc would like to request a conference to discuss the case listed above. Laidlaw Carriers feel discussion is required for the following reasons.

Item #1

Code 177.817A, No Shipping Papers

Laidlaw Carriers Van LP carried shipping documents as required. The cargo was a regulated recyclable waste in Canada and as such a Canadian Waste Manifest was used to document the waste in Canada. This document lists the required information (172.202(a)) but in a format and order contrary to 172.202 (b). A bill of lading was also used to document the cargo for the USA portion of the trip. Laidlaw Carriers Van LP realize, in review, that our driver failed to notice that the information listed on the US Bill of Lading had the correct content but was not listed in the correct order as required by 172.202(b). We will take the necessary actions to prevent this on future loads.

Item #2

Code 173.24B1, Release of HM from Package

Laidlaw Carriers Van LP verified that the packaging containers were suitable for the transport of hazardous materials. (Drums bearing a U/N code). Laidlaw Carriers Van LP submits for consideration that the release was caused by an error by the owner / shipper in selection the type of container (173.24(e)). An event for which the carrier has no participation.

Item #3

Code 172.301A, PKG. Not Marked With Proper Shipping Name or ID

We understand that this Apparent Violation is related to the type of Placards shown of the sides of the transport unit. Laidlaw Carriers Van LP was supplied these placards by the shipper and verified that the selection appeared correct for the Canadian portion of the trip. In the event that the cargo is incorrectly classified it remains Laidlaw Carriers Van LP position that the Shipper / Owner has primary responsibility for this area (172.300(a)).

Sincerely,

Contrans Corp.

Bill Preece
Director of Business Development,
Regulated Materials

Copy to Ken Gander, Laidlaw Carriers Van LP



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April 22, 2005

MR BILL PREECE
DIRECTOR OF BUS DEV LAIDLAW CARRIERS VA
PO BOX 1210
WOODSTOCK, ON N4S

RECEIVED MAY 05 2005

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. 3222300632C

Dear MR PREECE:

On September 23, 2004, a vehicle operated by LAIDLAW CARRIERS VAN GP INC, and driven by KEITH A DILLEN, was inspected within the State of Ohio. As the result of discovery of the following apparent violations of rule 4901:2-5-02 O.A.C, 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 amounts:

Code	Violation	Forfeiture
177.817A	No shipping papers (carrier) The Basic HM Des	\$ 0.00
173.24B1	RELEASE OF HM FROM PACKAGE	\$ 1125.00
172.301A	PKG. NOT MARKED WITH PROP SHIP NAME OR ID NO.	\$ 675.00

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 violations 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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MR BILL PREECE
DIRECTOR OF BUS DEV LAIDLAW CARRIERS VA
April 22, 2005
3222300632C

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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 LAIDLAW CARRIERS VAN GP INC in the following forfeitures:

Code	Violation	N.P.D. Forfeiture
177.817A	No shipping papers (carrier) The Basic HM Des	\$ 0.00
173.24B1	RELEASE OF HM FROM PACKAGE	\$ 1125.00
172.301A	PKG. NOT MARKED WITH PROP SHIP NAME OR ID NO.	\$ 675.00

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, 10th 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.

Robert Marvin, Director
Transportation Department
Public Utilities Commission of Ohio

cc:CR