

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

)
ROCK CITY STONE COMPANY, LLC) Order No.: TN-2018-5001-IMH
DBA RC STONE & FARMS)
USDOT NO. 3035947) Service Date: _____
)
) Service Time: _____

IMMINENT HAZARD
OPERATIONS OUT-OF-SERVICE ORDER

This is an Imminent Hazard Operations Out-of-Service Order (“Order”) issued by the Secretary of the United States Department of Transportation (“the Secretary”) pursuant to 49 U.S.C. § 521(b)(5)(A), 49 U.S.C. § 13905(f), 49 U.S.C. § 31144(c)(1) and (5), 49 U.S.C. § 31133(a)(10), 49 U.S.C. § 31134, 49 U.S.C. § 31502, and 49 CFR § 386.72(b)(1), and pursuant to a delegation of authority to the Field Administrator, Southern Service Center, Federal Motor Carrier Safety Administration (“FMCSA”), United States Department of Transportation (“USDOT”). This Order applies to **the motor carrier operations of ROCK CITY STONE COMPANY, LLC DBA RC STONE & FARMS (USDOT No. 3035947) and its officers, agents, and employees** (hereinafter collectively referred to as “you,” “your,” “it,” and/or “ROCK CITY STONE COMPANY, LLC”), and to all motor vehicles owned or operated by or on behalf of ROCK CITY STONE COMPANY, LLC, including CMV VIN 1FTNW21P93ECo6940, that transport explosive hazardous materials and/or a placardable quantity of hazardous materials.

The Secretary and the FMCSA find your operations and continued operation of

any motor vehicle (hereinafter referred to as “motor vehicle” and/or “vehicle”) that transports explosive hazardous materials and/or a placardable quantity of hazardous materials in the United States constitute an **imminent hazard**. This finding means that based upon your present state of unacceptable safety compliance, your operation of any motor vehicle that transports explosive hazardous materials and/or a placardable quantity of hazardous materials poses an **imminent hazard** to public safety.

EFFECTIVE IMMEDIATELY YOU MUST CEASE OPERATING ANY MOTOR VEHICLE CONTAINING EXPLOSIVE HAZARDOUS MATERIALS AND/OR A PLACARDABLE QUANTITY OF HAZARDOUS MATERIALS.

Your vehicles and their drivers now in commerce may proceed to their next immediate destination. *See* 49 CFR § 386.72(b)(4) and (5).

NO ADDITIONAL EXPLOSIVE HAZARDOUS MATERIALS OR HAZARDOUS MATERIALS IN A PLACARDABLE QUANTITY MAY BE LOADED OR TRANSPORTED, NOR MAY YOU OPERATE ANY MOTOR VEHICLE IN COMMERCE CONTAINING EXPLOSIVE HAZARDOUS MATERIALS OR A PLACARDABLE QUANTITY OF HAZARDOUS MATERIALS WHILE THIS ORDER IS IN EFFECT.

“Operate” or “Operating” includes without limitation all transportation in commerce by drivers from all dispatching locations or terminals. “Hazardous Materials” means a substance or material that the Secretary of Transportation has determined is capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and has been designated as hazardous under section 5103 of Federal hazardous materials transportation law. 49 U.S.C. § 5103. The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials,

materials designated as hazardous in the Hazardous Materials Table (49 CFR § 172.101), and materials meeting the defining criteria for hazard classes and divisions in part 173 of subchapter C of 49 CFR Chapter 1. The general hazardous materials placarding requirements are located at 49 CFR § 172.504.

ROCK CITY STONE COMPANY, LLC's motor vehicle(s) may not be operated in commerce by any other motor carrier or any driver if the motor vehicle contains explosive hazardous materials or a placardable quantity of hazardous materials. ROCK CITY STONE COMPANY, LLC's motor vehicle(s) containing explosive hazardous materials or a placardable quantity of hazardous materials may be moved, including by tow, only upon the prior written approval of the Field Administrator for FMCSA's Southern Service Center.

Within eight hours of your receipt of this Order, you must submit to the Field Administrator in writing by facsimile the location of each motor vehicle under your control. You must identify the vehicle by year, make, model and vehicle identification number (VIN). You must include a copy of the current registration. You must also identify the street address, city, and state of the location of each vehicle, and you must identify the driver last operating the vehicle. Your submission must be faxed to the Field Administrator at 404-327-7349.

You cannot avoid this Order by continuing operations under the name of another person or company. If you intend to sell, lease, loan or otherwise transfer or allow the use of any motor vehicle to any other person, motor carrier, or business, you must provide written notice to the Field Administrator no less than five business days before any such sale, lease, loan, transfer or use.

I. JURISDICTION

ROCK CITY STONE COMPANY, LLC is a motor carrier engaged in the transportation of explosive hazardous materials and/or placardable quantities of hazardous materials in commerce by motor vehicle and therefore must comply with the Federal Motor Carrier Safety Regulations (“FMCSRs”) (49 CFR Parts 390-397), and the Hazardous Materials Regulations (“HMRs”) (49 CFR Parts 171-180), as well as the Orders of the USDOT and FMCSA. *See* 49 U.S.C. §§ 506, 507, 13501, 31133 and 31136, 31144, and 31502; *see also* 49 CFR §§ 397.2, 397.3, and 49 CFR Part 385, Subpart E. ROCK CITY STONE COMPANY, LLC is required to comply, and to ensure its drivers comply, with the FMCSRs, HMRs, and Orders of the USDOT and FMCSA. *See* 49 U.S.C. §§ 5103(b) and 31135(a) and 49 CFR §§ 171.2 and 390.11.

This Order has the force and effect of any other Order issued by FMCSA and is binding upon ROCK CITY STONE COMPANY, LLC as well as any and all of its owners, officers, members, directors, successors, assigns, and closely affiliated companies. This Order applies to all hazardous materials motor carrier operations and to all motor vehicles owned, leased, rented or otherwise operated and/or for ROCK CITY STONE COMPANY, LLC that transport explosive hazardous materials and/or placardable quantities of hazardous materials.

II. BASIS FOR ORDER

The basis for determining that ROCK CITY STONE COMPANY, LLC’s motor carrier operations pose an imminent hazard to the public is that ROCK CITY STONE COMPANY, LLC intentionally failed to obtain a Hazardous Materials Safety Permit (“HMSP”) from FMCSA in violation of 49 CFR § 385.403. Because ROCK CITY STONE COMPANY, LLC was transporting explosive hazardous materials it was required to

obtain an HMSP to transport those materials in commerce. Carriers with a HMSP must demonstrate that they meet certain safety standards and must refrain from committing certain violations of the FMCSRs or HMRs. ROCK CITY STONE COMPANY, LLC is not complying with the loading requirements in 49 CFR § 177.835, the packing requirements in 49 CFR § 173.62, the labeling requirements in 172.400, the marking requirements in 49 CFR § 172.320, the shipping papers requirements in 49 CFR § 177.817, and the preparation of emergency response information requirement in 49 CFR § 172.602.

ROCK CITY STONE COMPANY, LLC is transporting explosives in a motor vehicle not properly marked or placarded in violation of 49 CFR § 177.823(a). ROCK CITY STONE COMPANY, LLC is also transporting explosives without a transportation security plan in violation of 49 CFR § 177.800 and without a written hazardous materials route plan in violation of 49 CFR § 397.67. ROCK CITY STONE COMPANY, LLC has not provided training to its employees in violation of 49 CFR §§ 177.816(a), 177.800(c) and 172.704(a). ROCK CITY STONE COMPANY, LLC is using a driver who does not have a CDL, HM endorsement or a medical certificate in violation of 49 CFR §§ 383.23(a), 383.93, and 391.41. ROCK CITY STONE COMPANY, LLC also does not have an alcohol and/or controlled substances testing program in violation of 49 CFR § 382.115(a).

Individually and cumulatively, these violations and conditions of operation substantially increased the likelihood of serious injury or death to ROCK CITY STONE COMPANY, LLC's drivers and/or the motoring public. In addition to the violation of failing to obtain a HMSP, additional behaviors also substantially increase likelihood of serious injury or death and are outlined in the Background portion of this Order, which

is incorporated by reference herein.

III. BACKGROUND

On March 23, 2018, a ROCK CITY STONE COMPANY, LLC motor vehicle traveling on Highway 28 in Sequatchie County, Tennessee en route to Whitwell, Tennessee from Crossville, Tennessee was stopped for a roadside inspection. A Tennessee Highway Patrol (“THP”) officer inspected the motor vehicle, a 2003 Ford pickup truck, and the driver, an employee of ROCK CITY STONE COMPANY, LLC. The THP officer found that the vehicle was transporting explosives, and he placed the vehicle and driver out-of-service after discovering a multitude of serious HMRs and FMCSRs violations. The THP officer found 6 cases of UN0081 (Class 1.1D - Explosive, blasting, type A), 37.7 lbs.; 2 cases of UN0081 (Class 1.1D - Explosive, blasting, type A), 44.7 lbs. each; 20 bags of NA0331 (Class 1.5D - Ammonium nitrate-fuel oil mixture), 50 lbs. each; 1 box of UN0255 (Class 1.4B - Detonators, electric), 7 blasting caps; 1 box of UN0289 (Class 1.4D - Cord, detonating), 24 lbs.; and 1 unpackaged spool of UN0289 (Class 1.4D - Cord, detonating) on the motor vehicle. The Class 1 explosive materials had been thrown in the open bed of the Ford pickup truck without any covering in violation of 49 CFR § 177.835(h) (Every motor vehicle transporting Class 1 explosive materials must either have a closed body or have the body covered with a tarpaulin and care must be taken to protect the load from moisture and sparks.) The Class 1 explosive hazardous materials were also piled in the truck bed next to metal objects, pipes, buckets, and a shovel, and some of the Class 1 explosive hazardous materials were placed inside a bent metal toolbox in violation of 49 CFR § 177.835(i)(no motor vehicle transporting Class 1 explosive materials may transport any metal or other articles or materials likely to damage the Class 1 explosive material or package unless segregated or secured in place

and separated by bulkheads or other suitable means to prevent damage). The Class 1 explosive hazardous materials package was also marked with an improper EX number, a violation of 49 CFR § 172.320(a).

The Class 1.4B detonators were being transported in a cardboard box without protective features in the passenger seat of the motor vehicle in violation of 49 CFR § 177.835(g) (no detonator may be transported on the same motor vehicle with any Division 1.1 or 1.5 material unless packed in a specified container or package). The Class 1.4D spool of detonating cord was not packaged, a violation of 49 CFR § 177.801, was not labeled, a violation of 49 CFR § 173.62, and did not have a proper shipping name and/or ID number marking, a violation of 49 CFR § 172.301(a)(1).

ROCK CITY STONE COMPANY, LLC had not prepared shipping papers for transporting the hazardous materials shipment, a violation of 49 CFR § 177.817(a), and had not placarded its motor vehicle, a violation of 49 CFR § 172.504(a) (a motor vehicle containing any quantity of a hazardous material must be placarded on each side and each end with specified placards). ROCK CITY STONE COMPANY, LLC also had not prepared emergency response information to be used in the mitigation of a hazardous materials incident, a violation of 49 CFR § 172.602(a). ROCK CITY STONE COMPANY, LLC was required to prepare emergency response information that included a description and technical name of the hazardous materials being transported, the immediate hazards to health, risks of fire or explosion, immediate precautions to be taken in the event of an accident or incident, immediate methods for handling fires, initial methods for handling spills or leaks in the absence of fire, and preliminary first aid measures. 49 CFR. § 172.602.

The driver of ROCK CITY STONE COMPANY, LLC motor vehicle did not have a

Commercial Driver's License ("CDL"), a violation of 49 CFR § 383.23(a)(2), a hazardous materials ("HM") endorsement, a violation of 49 CFR §§ 383.23(a)(1) and 383.93, or a medical certificate, a violation of 49 CFR § 391.41(a)(1). The driver also was not provided with a written hazardous materials route plan, a violation of 49 CFR § 397.67.

The THP officer also discovered that ROCK CITY STONE COMPANY, LLC did not have a Hazardous Materials Safety Permit ("HMSP") from FMCSA, a violation of 49 CFR § 385.403. Carriers with a HMSP must demonstrate that they meet certain safety standards and must refrain from committing certain violations of the FMCSRs or HMRs. ROCK CITY STONE COMPANY, LLC should have filed a Form MCS-150B to obtain a HMSP. 49 CFR § 385.405T. Instead, ROCK CITY STONE COMPANY, LLC filed a Form MCS-150 on August 8, 2017 with FMCSA and identified its operation as an "Intrastate Non-Hazmat Carrier."

Following the roadside inspection, FMCSA initiated a compliance investigation of ROCK CITY STONE COMPANY, LLC's motor carrier operations. The investigation uncovered violations of the HMRs and FMCSRs so widespread as to demonstrate a continuing and flagrant disregard for compliance with the HMRs and FMCSRs and a management philosophy indifferent to motor carrier safety. Since January 1, 2018, ROCK CITY STONE COMPANY, LLC's blasting logs show the carrier has transported hazardous materials to approximately 44 blasting sites in Tennessee.

ROCK CITY STONE COMPANY, LLC is transporting a placardable quantity of hazardous materials in a motor vehicle not properly marked or placarded in violation of 49 CFR § 177.823(a). The owner of ROCK CITY STONE COMPANY, LLC admitted that the carrier has never marked or placarded its motor vehicle when the vehicle is transporting a placardable quantity of hazardous materials. The owner told the FMCSA

investigator that the motor vehicle was not placarded because he was concealing the fact that the driver does not have a CDL or a HM endorsement. ROCK CITY STONE COMPANY, LLC's owner further acknowledged that the driver is legally blind in one eye and that the State of Tennessee had refused to issue the driver a CDL or a CDL with a HM endorsement. The owner also admitted that the driver was unable to obtain a medical examiner's certificate. The driver admitted to the FMCSA investigator that he is blind in his right eye and can see only lights and shapes.

ROCK CITY STONE COMPANY, LLC has never prepared or carried shipping papers when transporting explosive hazardous materials and/or a placardable quantity of hazardous materials, a violation of 49 CFR § 177.817(a). Further, ROCK CITY STONE COMPANY, LLC is transporting these hazardous materials without an assessment of transportation security risks and without a transportation security plan, a violation of 49 CFR § 177.800(b). ROCK CITY STONE COMPANY, LLC is also transporting these hazardous materials without preparing a written hazardous materials route plan that complies with 49 CFR § 397.67.

ROCK CITY STONE COMPANY, LLC is not providing HMRs training to its employees, including general awareness/familiarization training, function-specific training, safety training, security awareness training, and in-depth security training, in violation of 49 CFR §§ 177.800(c) and 172.704(a). ROCK CITY STONE COMPANY, LLC is using a driver to transport these hazardous materials when the driver has not been trained in the applicable requirements of the FMCSRs such as attendance of motor vehicles, parking, smoking, routing, and incident report in violation of 49 CFR § 177.816(a). ROCK CITY STONE COMPANY, LLC also does not have an alcohol and/or controlled substances testing program in violation of 49 CFR § 382.115(a).

ROCK CITY STONE COMPANY, LLC's complete and utter lack of compliance with the HMRs and FMCSRs, including the requirement to obtain and operate under a HMSP when transporting explosives and as set forth above, substantially increases the likelihood of serious injury or death for its drivers and the motoring public if the operations of ROCK CITY STONE COMPANY, LLC are not discontinued immediately. ROCK CITY STONE COMPANY, LLC's entire operations of its transportation of explosive hazardous materials and/or a placardable quantity of hazardous materials constitute an imminent hazard to safety which may only be abated by the cessation of ROCK CITY STONE COMPANY, LLC's entire operations of its transportation of explosive hazardous materials and/or a placardable quantity of hazardous materials.

IV. REMEDIAL ACTION

To eliminate this imminent hazard, and before ROCK CITY STONE COMPANY, LLC will be permitted to resume its motor carrier operations placed out of service by this Order, you must take specific steps to ensure and demonstrate compliance with the HMRs and FMCSRs, including the following:

1. You must obtain a Hazardous Materials Safety Permit before transporting hazardous materials that require an HMSP permit, in accordance with 49 CFR § 385.403.
2. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that you are familiar with and will comply with the hazardous materials loading requirements specific to explosive hazardous materials and/or a placardable quantity of hazardous materials and are in full compliance with 49 CFR § 177.835.
3. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that you are familiar with and will comply with the hazardous materials labeling requirements specific to explosive hazardous materials and/or a placardable quantity of hazardous materials and are in full compliance with 49 CFR § 172.400 and specifically those at 49 CFR § 172.411.
4. You must demonstrate to the satisfaction of the Field Administrator,

Southern Service Center, that you are familiar with and will comply with the hazardous materials packaging requirements specific to explosive hazardous materials and/or a placardable quantity of hazardous materials and are in full compliance with 49 CFR § 177.801 and specifically those at 49 CFR § 173.62.

5. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that you are familiar with and will comply with the hazardous materials marking requirements specific to explosive hazardous materials and/or a placardable quantity of hazardous materials and are in full compliance with 49 CFR § 172.320.

6. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that you are familiar with and will comply with the hazardous materials shipping paper requirements specific to explosive hazardous materials and/or a placardable quantity of hazardous materials and are in full compliance with 49 CFR § 177.817 and 49 CFR §§ 172.200 – 172.205. You must provide evidence of full compliance with 49 CFR § 172.600 – 172.606.

7. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that you are familiar with and will comply with the hazardous materials placarding requirements specific to explosive hazardous materials and/or a placardable quantity of hazardous materials and are in full compliance with 49 CFR §§ 172.500 and 172.522.

8. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that you are in full compliance with the hazardous materials security plan requirements in 49 CFR § 172.800.

9. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that you are in full compliance with the requirements pertaining to transportation of hazardous materials in 49 CFR Part 397 and specifically those in 49 CFR §§ 397.5, 397.7, 397.19 and 397.67.

10. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that you are in full compliance with the hazardous materials training requirements in 49 CFR §§ 172.700 – 172.704, 177.800, and 177.816.

11. You must demonstrate to the satisfaction of the Field Administrator, Southern Service Center, that each driver possesses the requisite Commercial Driver's License with the appropriate Hazardous Materials endorsement and a DOT medical examiner's certificate and that a copy of each Commercial Driver's License with a Hazardous Materials and the medical examiner's certificate is maintained in the driver's file.

12. You must establish a DOT controlled substance and alcohol testing program in compliance with 49 CFR Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs) and 382 (Controlled Substances and Alcohol Use

and Testing) and provide evidence of this program to the Field Administrator, Southern Service Center.

13. You must ensure that all drivers are adequately trained in the requirements of the HMRs and FMCSRs and that they can conduct motor carrier operations consistent with those regulations.

14. You must comply with all Orders issued by FMCSA.

V. RESCISSION OF ORDER

ROCK CITY STONE COMPANY, LLC's motor carrier operations are subject to this Order unless and until this Order is rescinded in writing by FMCSA. Unless and until this Order is rescinded, and until such time as you have a valid and active USDOT number and operating authority registration (if applicable), you are prohibited from operating any motor vehicle in commerce. Additionally, you are prohibited from transporting any hazardous material requiring a hazardous materials safety permit until you have obtained such permit. This Order will not be rescinded until the Field Administrator for FMCSA's Southern Service Center has determined that the Remedial Action requirements specified in Paragraph IV of this Order have been fully satisfied and acceptable documentation submitted.

Before this Order will be rescinded, you must comply with the provisions of this Order, eliminate the problems constituting the imminent hazard that your operations pose, and adequately demonstrate to the Field Administrator for the FMCSA's Southern Service Center the actions taken to eliminate the safety problems. You cannot avoid this Order by continuing operations under the name of another person or company.

Any sale, lease, or other agreements involving your motor vehicle(s) or motor carrier operations require five business days' written notice to the Field Administrator. Any such action taken in anticipation of this Order must cease immediately.

Before rescission of the Order, ROCK CITY STONE COMPANY, LLC will be required to:

1. Identify the cause for its noncompliance.
2. Develop a detailed Safety Management Plan of action that addresses each area of non-compliance, the steps it intends to take to overcome its noncompliance, and a timetable for these steps.
3. Execute the Safety Management Plan and provide certification by all owners and officers.

Any request to rescind this Order and documentation demonstrating satisfaction of the Remedial Action requirements must be directed to the Field Administrator, Southern Service Center, with a copy to the Division Administrator, Tennessee Division, at the following addresses:

Field Administrator, Southern Service Center
Federal Motor Carrier Safety Administration
1800 Century Blvd.
Suite 1700
Atlanta, GA 30345

Division Administrator, Tennessee Division
Federal Motor Carrier Safety Administration
640 Grassmere Park, Suite 111
Nashville, TN 37211

Rescission of this Order does not constitute a reinstatement of your USDOT Number or grant of operating authority registration (if applicable), or grant of hazardous materials safety permit. In order for ROCK CITY STONE COMPANY, LLC to resume motor carrier operations in commerce, ROCK CITY STONE COMPANY, LLC will be required to apply to reactivate its USDOT number registration, and if its operations require Federal operating authority, apply for new operating authority registration and demonstrate that it is fit and willing and able to comply with: 1) the statutory and regulatory registration requirements; 2) applicable safety regulations

including the FMCSRs; 3) the commercial motor vehicle safety requirements of employers and employees set forth in 49 U.S.C. § 31135; 4) the safety fitness requirements set forth in 49 U.S.C. § 31144; and 5) minimum financial responsibility requirements established under 49 U.S.C. §§ 13906 and 31138 or 31139. Additionally, in order to transport hazardous materials requiring a hazardous materials safety permit, you must apply for and be granted such permit.

VI. ENFORCEMENT OF ORDER

This Order, issued pursuant to 49 U.S.C. § 521(b)(5)(A), 49 U.S.C. § 13905(f), 49 U.S.C. § 31144(c)(1) and (5), 49 U.S.C. § 31133, 49 U.S.C. § § 31134, and 49 CFR § 386.72(b)(1), is an Order of, and enforceable by, the Secretary. Violation of this Order may subject ROCK CITY STONE COMPANY, LLC to civil penalties and may also result in an action in the United States District Court for equitable relief and punitive damages. ROCK CITY STONE COMPANY, LLC may be assessed civil penalties of up to \$25,705 for each violation of this Order. 49 U.S.C. §§ 507, 521(b)(2)(F) and 521(b)(4) and 49 CFR Part 386 App. A. § IV(g). ROCK CITY STONE COMPANY, LLC may also be assessed civil penalties of up to \$14,502 for operating a motor vehicle in interstate commerce without USDOT number registration. *See* 49 U.S.C. §§ 14901, 14702-03, 507, 521(b)(2)(F) and 31134. If violations are determined to be willful, criminal penalties may be imposed, including a fine of up to \$25,000 and imprisonment for a term not to exceed one year. 49 U.S.C. § 521(b)(6)(A).

VII. PENALTIES FOR VIOLATIONS OF FEDERAL REQUIREMENTS

Any motor carrier or driver that violates Federal requirements, including the FMCSRs, and/or permits its employee(s) to violate Federal requirements is subject to civil and/or criminal penalty provisions. Penalty provisions for violations of Federal

statutes and regulations are separate and distinct from this Order. Penalties may be assessed for the violations of Federal requirements, including the FMCSRs and Orders of the FMCSA, previously discovered, discovered after the service of this Order, and/or discovered during subsequent investigations.

VIII. RIGHT TO REVIEW

You have the right to administrative review under 5 U.S.C. § 554 and 49 CFR § 386.72(b)(4). If requested, administrative review must commence within ten days after the petition for review is filed and must be concluded as expeditiously as practicable but may run longer than ten days from the date of issuance of such Order or the filing of the petition for review. *See* 49 U.S.C. § 521(b)(5) and 49 CFR § 386.72(b)(4). A request for review must be addressed to the Assistant Administrator, United States Department of Transportation, Federal Motor Carrier Safety Administration, and should be sent to the attention of Adjudications Counsel by facsimile or electronic mail as follows:

By Fax:
Adjudications Counsel (MC-CCA)
(202) 366-3602

or electronic mail:
FMCSA.Adjudication@dot.gov

with a copy mailed or sent by commercial delivery service to the Assistant Administrator and Adjudications Counsel at the following address:

Adjudications Counsel (MC-CCA)
Federal Motor Carrier Safety Administration
Office of Chief Counsel
1200 New Jersey Avenue, S.E.
Washington, DC 20590

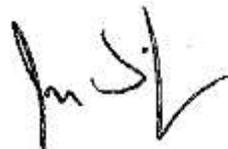
A copy of any request for administrative review must also be sent to the Field Administrator by mail and/or facsimile as follows:

Field Administrator
Southern Service Center
Federal Motor Carrier Safety Administration
1800 Century Blvd
Suite 1700
Atlanta, GA 30345
Fax: (404) 327-7349

The request must state the material facts at issue which you believe dispute or contradict the finding that your operations constitute an “**imminent hazard**” to the public.

A REQUEST FOR ADMINISTRATIVE REVIEW DOES NOT IN ANY WAY DELAY YOUR DUTY TO COMPLY WITH THIS ORDER IMMEDIATELY.

This Order is separate and independent from all other orders or actions that may be issued by FMCSA, and does not amend or modify any other such orders or actions. Any request for administrative review of this Order does not attach to or apply to any other order or action.



JON A. DIERBERGER
Field Administrator, Southern Service Center
Federal Motor Carrier Safety Administration
United States Department of Transportation
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