

## Enforcement Case Report

**Case #:** IN-2002-524-IN4715  
**U.S. DOT #:** 122443  
**Tax ID #:** 34-759032  
**Subject:** P I & I Motor Express Inc  
 P.O. Box 685  
 908 Broadway Street, Masury, OH 44438  
 Sharon, PA 16146

Violations	Violation Description	Number Discovered	Number Documented
------------	-----------------------	-------------------	-------------------

392.9(a)(1)	Requiring or permitting a driver to drive without the vehicle's cargo being properly distributed and adequately secured.	1	1
-------------	--	---	---

Assigned	06/26/2002	Reviewed by: <i>Mark Palmer</i> Dan Beaver
Commenced	06/26/2002	
Investigation Completed	06/26/2002	Title: <del>SPS</del> S.I.
Report Completed	06/28/2002	Date: 7/29/02
Sent to Service Center		

Safety Investigator's Signature *TPR Scott DuRaben* Code #: IN4715  
 Page 1 of 1



U.S. Department  
of Transportation

Federal Motor Carrier  
Safety Administration

Midwestern Service Center

19900 Governors Drive  
Suite 210  
Olympia Fields, IL 60461-1021

Phone: (708) 283-3577  
Fax: (708) 283-3565

**Certified/ Return Receipt Requested**

August 2, 2002

Joseph Kerola, President  
P I & I Motor Express Inc  
908 Broadway Street  
Masury, OH 44438

**NOTICE OF CLAIM<sup>1</sup>** -- Violations of 49 CFR § 392.9(a)(1).

**CIVIL PENALTY: \$3,000**

**Case Number: IN-2002-524-IN4715**

Dear Mr. Kerola:

On June 26, 2002 a commercial motor vehicle operated by P I & I Motor Express Inc was inspected at Burns Harbor, IN. The purpose of this inspection was to determine your compliance with the Federal Motor Carrier Safety Regulations (FMCSR), the Federal Hazardous Materials Regulations (HMR), and the Federal Motor Carrier Commercial Regulations (FMCCR).

As a result of this inspection, violations were discovered. This letter constitutes a Notice of Claim by the United States Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA) against P I & I Motor Express Inc for the amount of \$3,000.

Unless settled or otherwise resolved in a manner set forth below, the FMCSA can recover these penalties, with interest and costs, in a civil action brought in a United States District Court. Additional collection efforts may include, but are not limited to: Internal Revenue Service offsets against tax refunds, and the referral to and the use of collection agencies to collect penalties. **Also, under 49 CFR §§ 386.83 and 386.84, once a final order has been issued, the FMCSA may prohibit P I & I Motor Express Inc from operating in interstate commerce until the civil penalty is paid in full and, if applicable, your FMCSA registration will be suspended.**

---

1) A Notice of Claim is the official charging document used by the Federal Motor Carrier Safety Administration to initiate a civil action for violations of Federal Laws.

## SUMMARY OF VIOLATIONS

Your company is charged with:

1. One (1) violation of 49 CFR § 392.9(a)(1)- Requiring or permitting a driver to drive without the vehicle's cargo being properly distributed and adequately secured.

A copy of the documentary evidence collected during the investigation is available from this office. Upon request, the FMCSA will forward a copy of this evidence within a reasonable period of time. For additional details see the attached "Statement of Charges."

## NOTICE OF ABATEMENT

This letter also constitutes a Notice of Abatement of all violations. In order to ensure that these violations cease, your company must take the following actions:

1. Do not allow and/or operate a commercial motor vehicle unless all cargo is properly distributed and adequately secured in accordance with 49 CFR Parts 392 and 393.

Failure to abate the cited violations could cause penalties to be increased in future enforcement actions. Under Section 222 of the Motor Carrier Safety Improvement Act of 1999, recurring violations of the same or related acute or critical regulations (violations of the same Part in Title 49 of the Code of Federal Regulations) that result in three or more enforcement actions within a six-year period will cause the maximum penalties allowed by law to be assessed for the third and subsequent enforcement actions. Any violations with a checkmark in the "§ 222 Applied" column in the penalty table below are subject to this "Section 222" provision and the maximum penalties have been assessed. See 49 USC § 521 note, 49 USC § 521(b), 49 USC § 5123, 49 USC Chapter 149, and 49 CFR Part 386, Appendix A.

## PENALTY

In accordance with 49 USC §§ 521(b)(2)(D) and 5123(c), the FMCSA must, before assessing a civil penalty, take into consideration the nature, circumstances, extent, and gravity of the violation committed and with respect to the violator, the degree of culpability, history of prior offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice and public safety may require. The civil penalty assessment shall be calculated to induce compliance. These factors will not be considered, however, for violations subject to the Section 222 provision described above.

The FMCSA also is not required by statute to consider these factors in assessing penalties for violations of the commercial regulations. However, in accordance with 49 U.S.C. § 14901(c), the FMCSA must, before assessing a civil penalty concerning the transportation of household goods, take into consideration the degree of culpability, any prior history of such conduct, the degree of harm to shippers, ability to pay, the effect on ability to do business, whether the shipper has been adequately compensated before institution of the civil penalty proceeding, and such other matters as fairness may require.

A listing of the statutes governing maximum and minimum penalties for violations of specific regulations is enclosed.

Case Number: IN-2002-524-IN4715

Given the statutorily mandated items listed above, the FMCSA has assessed a civil penalty as follows:

<u>VIOLATION</u>	<u>TYPE OF VIOLATION<sup>2</sup></u>	<u>NUMBER OF COUNTS</u>	<u>ASSESSMENT PER COUNT</u>	<u>\$222 APPLIED</u>	<u>TOTAL</u>
392.9(a)(1)	NR	1	\$3,000.00		\$3,000.00

Accordingly, the total amount assessed by the Federal Government as the result of these violations is \$3,000.

### HOW TO REPLY TO THIS NOTICE OF CLAIM

Under 49 CFR Part 386, "Rules of Practice for Motor Carrier, Broker, Freight Forwarder, and Hazardous Materials Proceedings," you have specific rights with respect to this Notice of Claim. You are advised to carefully read Part 386 and follow the course of action appropriate for you in this case. A copy of Part 386 is attached to this Notice of Claim for your information. You may wish to seek legal counsel for answers to any questions in reference to this Notice of Claim or procedures under Part 386. DO NOT call the Federal Motor Carrier Safety Administration Service Center or the Chief Counsel's office for advice or assistance in your defense. You may pursue one or more of the following courses of action:

(1) **PAYMENT OF PENALTY:** The penalty must be paid by a cashier's or certified check, or money order for the full penalty amount made payable to the Federal Motor Carrier Safety Administration and mailed to: United States Department of Transportation, Federal Motor Carrier Safety Administration, Midwestern Service Center, 19900 Governors Drive, Suite 210, Olympia Fields, IL 60461-1021. Personal or company checks will not be accepted and will be returned. Alternatively, you may pay electronically through our Do-It-Yourself website at <http://diy.dot.gov> by selecting "Federal Motor Carrier Safety Administration," then "FMCSA Fine Payments." Payment must be made within twenty-five (25) days from the date of this Notice of Claim. A monthly payment plan may be available for carriers who demonstrate financial difficulty. A current balance sheet (certified if possible) or other evidence of assets and liabilities must be submitted. If you have compelling reasons why the assessed penalty should be reduced, you may contact an Enforcement Specialist at (708)283-3577.

(2) **REQUEST FOR A HEARING:** You may request a hearing on the record on any material issues of fact in dispute. If you choose this course of action, you must carefully follow the provisions within CFR SECTION 386.14, including filing a written reply within 15 days after service of this Notice of Claim.

(3) **SUBMISSION OF EVIDENCE AND ARGUMENT WITHOUT HEARING:** You may also contest the allegations in the Notice of Claim without an oral hearing. To do so, you must serve notice of your intention to proceed in this manner (49 CFR §§ 386.14(b)(2) and 386.14(c)). Service of the notice of intent must also be made upon the Chief Safety Officer (Assistant Administrator) and all representatives listed in the Service List that is attached to this Notice of Claim. If you choose this option, you and the FMCSA Field Administrator for this Service Center, are required to serve all

2) CDL=Commercial Driver's License; FR=Financial Responsibility; HM=Hazardous Materials (the total penalties assessed is per citation, not per number of counts); NO=Notice and Orders; NR=Nonrecordkeeping; R=Recordkeeping; COM=Commercial Regulations.

Case Number: IN-2002-524-IN4715

Officer for the Federal Motor Carrier Safety Administration, Attn: Dockets, 400 7th Street, S.W., Room PL-401, Washington D.C. 20590 within 40 days of the service date of this Notice of Claim (include a copy of this Notice of Claim with your initial filing to the Docket). All evidence must be in the form described in 49 CFR § 386.49, Form of Written Evidence. The Chief Safety Officer for the Federal Motor Carrier Safety Administration will make a final decision based on the written evidence and written argument submitted by all of the parties.

YOU MUST CERTIFY THAT YOUR REPLY HAS BEEN SERVED IN ACCORDANCE WITH THE REQUIREMENTS CONTAINED WITHIN 49 CFR §386.31.

THE SPECIFIC RIGHTS PROVIDED FOR IN 49 CFR § 386.14 WILL BE WAIVED IF YOU FAIL TO FILE A REQUEST FOR A HEARING WITHIN FIFTEEN (15) DAYS AFTER THE SERVICE OF THIS NOTICE OF CLAIM.

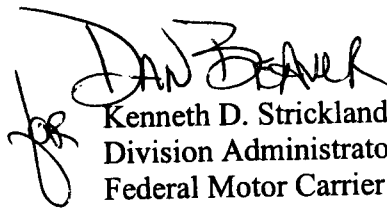
FAILURE TO REPLY TO THE NOTICE OF CLAIM IN THE EXACT MANNER SPECIFIED IN 49 CFR § 386.14 WILL BE TREATED AS IF NO REPLY HAS BEEN FILED. UNDER 49 CFR § 386.14(e), A FAILURE TO REPLY WILL CAUSE THIS NOTICE OF CLAIM TO BECOME THE FINAL AGENCY ORDER IN THIS PROCEEDING TWENTY-FIVE (25) DAYS AFTER IT IS SERVED.

A GENERAL DENIAL DOES NOT MEET THE REQUIREMENTS OF 49 CFR § 386.14(b). UNLESS A CONCISE STATEMENT OF FACTS CONSTITUTING EACH DEFENSE IS PROVIDED IN YOUR REPLY, A DEFAULT MAY BE ENTERED AGAINST YOU.

IF YOU DO NOT UNDERSTAND OR ARE CONFUSED ABOUT YOUR RIGHTS AND OBLIGATIONS AS OUTLINED WITHIN THIS NOTICE OF CLAIM, YOU MAY WISH TO SEEK LEGAL ADVICE.

Copies of the procedural regulations, applicable statutes and the Service List are enclosed.

Sincerely,

  
Kenneth D. Strickland  
Division Administrator  
Federal Motor Carrier Safety Administration

Enclosures

## **APPLICABLE STATUTES**

Section 521(b)(2)(A) of 49 USC provides that any person who is determined to have committed an act that is a violation of regulations issued under subchapter III of chapter 311 (49 USC §§ 31131 et seq.) (except sections 31138 and 31139) or 49 USC §§ 31301 and 31306, or section 31502 of 49 USC, shall be liable for a civil penalty in an amount not to exceed \$10,000 for each offense. No civil penalty shall be assessed under this section against an employee for a violation in an amount exceeding \$2,500 (49 USC § 521(b)(2)(A)).

## STATEMENT OF CHARGES

**Violation 1 — 49 CFR 392.9(a)(1) - Requiring or permitting a driver to drive without the vehicle's cargo being properly distributed and adequately secured.**

### CHARGE #1:

On or about 06/26/2002, P I & I Motor Express Inc used driver (b)(6); (b)(7)(C) to drive a commercial motor vehicle in interstate commerce from Burns Harbor, IN to Fairfield, OH. At the time of this transportation the seven steel plates were not properly distributed and adequately secured.

During a roadside inspection conducted by the Indiana State Police, Inspection Number IN4715000060, driver (b)(6); (b)(7)(C) was stopped transporting seven steel plates on a semi-trailer with a total net weight of 42,319 lbs.

The seven steel plates were stacked in one pile. They were secured with four (4) 5/16" G7 chains, with each chain having a working load limit of 4,700 lbs. The steel plates were secured with four (4) 3/8" binders, with each binder having a working load limit of 5,400 lbs. Two (2) of the four (4) tie-down assemblies securing the steel plates were defective. The third (#3) chain had two (2) twisted links on the right side and three (3) twisted links on the left side of the semitrailer. In addition, the third chain had 85 stretched links throughout the chain. The fourth (#4) chain had two (2) twisted links on the right side and three (3) twisted links on the left side of the semitrailer. This resulted in two of the four tie-down assemblies being classified as defective tiedown assemblies. The driver met 9,400 lbs of the required 21,159 lbs of the working load limit. Therefore 56% of the required type and number of tie-down assemblies were missing.

As a result, the aggregate working load limit of the tie-down assemblies used to secure the seven steel plates against movement in any direction prescribed under 393.102 did not meet the requirements of the Federal Motor Carrier Safety Regulations.

## SERVICE LIST

This is to certify that on August 2, 2002, the undersigned sent, by the method indicated, the designated number of copies of the Notice of Claim to each of the parties listed below.

Each party listed below must receive the designated number of copies of each filing made in this proceeding in the future.

Joseph Kerola, President  
P I & I Motor Express Inc  
908 Broadway Street  
Masury, OH 44438

Original  
Certified/ Return Receipt Requested

Kenneth D. Strickland, Division Administrator  
U.S. Department of Transportation  
Federal Motor Carrier Safety Administration  
575 N Pennsylvania Street, Rm261  
Indianapolis, IN 46204

One Copy  
Personal Delivery

U.S. Department of Transportation  
Federal Motor Carrier Safety Administration  
FMCSA Docket Clerk  
Midwestern Service Center  
19900 Governors Drive  
Suite 210  
Olympia Fields, IL 60461-1021

One Copy  
U.S. Mail or Electronic Mail



*George E. Davis*

---



**SUBJECT : P I & I Motor Express Inc**

**CASE NUMBER : IN-2002-524-IN4715**

**Violation --- 49 CFR 392.9(a)(1) - Requiring or permitting a driver to drive without the vehicle's cargo being properly distributed and adequately secured.**

**CHARGE**

On or about 06/26/2002, P I & I Motor Express Inc used driver (b)(6); (b)(7)(C) to drive a commercial motor vehicle in interstate commerce from Burns Harbor, IN to Fairfield, OH. At the time of this transportation the seven steel plates were not properly distributed and adequately secured.

During a roadside inspection conducted by the Indiana State Police, Inspection Number IN4715000060, driver (b)(6); (b)(7)(C) was stopped transporting seven steel plates on a semi-trailer with a total net weight of 42,319 lbs.

The seven steel plates were stacked in one pile. They were secured with four (4) 5/16" G7 chains, with each chain having a working load limit of 4,700 lbs. The steel plates were secured with four (4) 3/8" binders, with each binder having a working load limit of 5,400 lbs. Two (2) of the four (4) tie-down assemblies securing the steel plates were defective. The third (#3) chain had two (2) twisted links on the right side and three (3) twisted links on the left side of the semitrailer. In addition, the third chain had 85 stretched links throughout the chain. The fourth (#4) chain had two (2) twisted links on the right side and three (3) twisted links on the left side of the semitrailer. This resulted in two of the four tie-down assemblies being classified as defective tiedown assemblies. The driver met 9,400 lbs of the required 21,159 lbs of the working load limit. Therefore 56% of the required type and number of tie-down assemblies were missing.

As a result, the aggregate working load limit of the tie-down assemblies used to secure the seven steel plates against movement in any direction prescribed under 393.102 did not meet the requirements of the Federal Motor Carrier Safety Regulations.

**SUPPORTING DOCUMENTS**

1. Copy of Indiana State Police Motor Carrier Inspection and Violation Report #IN4715000060 dated 06/26/2002.
2. Copy of Bethlehem Steel Corporation bill of lading(6 pages) for shipper ID #803-08740 dated 06/26/2002.
3. Copy of driver's record of duty status for (b)(6); (b)(7)(C) dated 06/26/2002.
4. Copy of State of Ohio apportioned registration cab card for unit #630.
5. Attached copy of photographs taken(see exhibit letter A).
6. Attached copy of video(see exhibit letter B).



Indiana State Police  
 Commercial Vehicle Enforcement  
 5252 Decatur Blvd., Suite J  
 Indianapolis, IN 46241  
 Phone: (317)615-7373 Fax: (317)821-2353

**DRIVER VEHICLE EXAMINATION REPORT**

Report Number: IN4715000060  
 Inspection Date: 06/26/2002  
 Start Time: 10:57 AM End Time: 1:46 PM  
 Insp. Level: 2-Walk-Around No HM Insp.

PI & I MOTOR EXPRESS INC  
 P O BOX 685  
 SHARON, PA 16146  
 Phone#: (800)262-9473 Fax#: \_\_\_\_\_  
 USDOT#: 00122443 ICC#: 112063  
 State#: \_\_\_\_\_

Driver: (b)(6); (b)(7)(C)  
 License#: (b)(6); (b)(7)(C) State: \_\_\_\_\_  
 Date of Birth: (b)(6); (b)(7)(C)  
 CoDriver: \_\_\_\_\_  
 License#: \_\_\_\_\_ State: \_\_\_\_\_  
 Date of Birth: \_\_\_\_\_

Location: U.S. 12  
 Highway: S.R. 249 SB  
 County: PORTER

MilePost: \_\_\_\_\_ Shipper: BETHLEHEM STEEL CORP.  
 Origin: BURNS HARBOR, IN Bill of Lading: 803-08740  
 Destination: FAIRFIELD, OH Cargo: METAL: SHEETS, COILS

**VEHICLE IDENTIFICATION**

Unit	Type	Make	Year	State	License #	Company #	Vin #	GVWR	CVSA #	OOS#
1	TT	FRHT	2001	OH	PUQ3223	630	1FUJA3BB81LG01185	52,000		
2	ST	RAVE	1997	IL	105464ST	429	1R1F24820WK980178	79,600		

**BRAKE ADJUSTMENTS:** No Brake Inspection Required For Level 2-Walk-Around,

**VIOLATIONS**

Section Code	St	Unit	OOS	Citation #	Verify	Violations Discovered
392.9(a)(1)		D	Y	H1067685	N	Failing to secure cargo

**Haz Mat:** No HM Transported.

Placard: No Cargo Tank:

**Special Checks:** No Data for Special Checks.

**Miscellaneous:**

PROJECT CODE:: 02-LS-02; DUTY STATUS:: RD;

Pursuant to Title 49 CFR-395.13(c) and (d), (b)(6); (b)(7)(C) is considered OOS until CHAINS ADDED. No motor carrier shall require or permit a driver, nor shall any driver placed OOS drive any CMV until all terms of the OOS order has been fulfilled. OOS at:

IN ACCORDANCE WITH 49 CFR-396.9(d), SHOULD ANY VIOLATIONS BE NOTED, COMPLETE THIS CERTIFICATION AND RETURN TO THE POLICE AGENCY ABOVE WITHIN FIFTEEN (15) DAYS. BY DOING SO, YOU VERIFY AND ACKNOWLEDGE ALL NOTED VIOLATIONS AND THE COMPLETION OF EFFECTIVE CORRECTIVE MEASURES.

Signature Of Motor Carrier X: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:

SCOTT DURBIN

Badge #:

4715

Copy Received By:

(b)(6); (b)(7)(C)

Page 1 of 1



IN4715000060



MEMO BILL OF LADING  
RECEIPT FOR MATERIAL

**BETHLEHEM STEEL CORPORATION**

www.bethsteel.com

STRAIGHT BILL OF LADING  
SHORT FORM ORIGINAL  
NOT NEGOTIABLE

SHIPPER 803-08740

CUSTOMER / SN - BL - INV <b>160420-00</b> 3	TERMS / SN <b>701</b>	DIST / BL <b>021</b> 2H	PSD <b>16</b>	ZONE / SN-DL <b>3409</b>	MKT <b>140</b>	FOB <b>04</b>	TAX <b>X1</b>	SPLC <b>347249</b>	FREIGHT <b>PREPAID</b>
---	--------------------------	-------------------------------	------------------	-----------------------------	-------------------	------------------	------------------	-----------------------	---------------------------

S  
O  
L  
D  
T  
O  
  
A M CASTLE & CO  
3400 N WOLF RD  
FRANKLIN PARK IL 60131

S  
H  
I  
P  
T  
O  
  
A M CASTLE & CO  
C/O TRISTATE  
4412 DIXIE HWY  
FAIRFIELD OH 45014

SHIP DATE / FROM / ROUTE

**06/26/02 BURNS HARBOR, IN**  
**PIIM P I&I MTR EXP**

VEHICLE ID.	NO. PACKAGES	DESCRIPTION SPECIAL MARKS	WEIGHT (POUNDS)
<b>TRAC</b> <b>TRLR 429</b>	<b>7</b>	<b>STEEL PLATES</b> <b>DUNNAGE FREE 100</b> <b>MON/FRI 7A/12NOON</b> <b>DO NOT STORE OUTSIDE - KEEP</b> <b>UNDER COVER</b> <b>TRKR TO CALL PRIOR DELY PRIOR</b> <b>DELY 513-858-3179</b> <b>TARP COVER</b>	<b>42319</b>

RECEIVED, subject to the classifications and tariffs in effect on the date of the issue of the Bill of Lading, the property described above, in apparent good order, except as noted (contents and condition of contents of packages unknown) marked, consigned and destined as indicated above, which said carrier (the word carrier being understood throughout this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination if on its route otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of all or any of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the domestic straight bill of lading prescribed in the Uniform Freight Classification, the National Motor Freight Classification or such other classification or tariff which states the applicable bill of lading terms and conditions.

Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading including those on the back thereof set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

When executed by or on behalf of one other than a carrier, this document acknowledges receipt of the described property in good order.

This shipment is correctly described  
Correct Weight is as shown  
Subject to Verification by the  
MERCHANTS DESPATCH TRANSPORTATION  
CSXT  
NORFOLK SOUTHERN  
WESTERN WEIGHTING & INSPECTION BUREAU  
BETHLEHEM STEEL CORPORATION

UNLESS OTHERWISE STATED HEREON  
"PREPAID" FREIGHT BILLS shall be forwarded  
to CONTROLLER at the "FROM" location

Pursuant to the non-recourse provision of section 7 of the Bill of Lading, the carrier shall not make delivery of this shipment without payment of freight and all other lawful charges.

**BETHLEHEM STEEL CORPORATION**

Exceptions: On shipments delivered by railroads for export, coast-wise or intercoastal movement by water, on which the applicable tariff includes the requirement therefor, Bethlehem Steel Corporation, when consignor, guarantees payment of all lawful charges.

If charges are to be prepaid, the word "Prepaid" will be written in the blank at the top of this form following the word "freight".

On EXPORT Shipments the following applies:  
These commodities licensed by U.S. for ultimate destination as noted above. Diversion contrary to U.S. law prohibited.

**CERTIFICATION OF COMPLIANCE**

I Certify that shipments covered by this bill of lading was loaded by me or at my direction, that I inspected the load after it was placed and secured upon the motor vehicle; that said motor vehicle conforms with the Motor Carrier Safety Regulations and Specifications issued by the Department of Transportation and that the load was secured thereon in accordance with such regulations and specifications.

Signed by Driver per signature on the corresponding "Final Shipment List-Truck"

\*If the shipment moves between two ports by a carrier by water, the law requires that a Bill of Lading shall state whether it is carrier's or shipper's weight.



SHIPPING NOTICE

BETHLEHEM STEEL CORPORATION

SHIPPER 803-08740

www.bethsteel.com

CUSTOMPR / SN - BL - INV	TERMC / SN	DIST / BL	PSD	ZONE / SN - BL	MKT	FOB	TAX	SPLC	FREIGHT
160420-00 3	701	021 2H	16	3409	140	04	X1	347249	PREPAID
S O L D T O A M CASTLE & CO 3400 N WOLF RD FRANKLIN PARK IL 60131					S H I P T O A M CASTLE & CO C/O TRISTATE 4412 DIXIE HWY FAIRFIELD OH 45014				

SHIP DATE / FROM / ROUTE

06/26/02 BURNS HARBOR, IN  
PIIM P I&I MTR EXP

VEHICLE ID.	NO. PACKAGES	DESCRIPTION, SPECIAL MARKS	WEIGHT (POUNDS)
TRAC TRLR 429	7	STEEL PLATES DUNNAGE FREE 100 MON/FRI 7A/12NOON DO NOT STORE OUTSIDE - KEEP UNDER COVER TRKR TO CALL PRIOR DELY PRIOR DELY 513-858-3179 TARP COVER	42319

INSP-10E31  
SPEC-46150000RC-K02600-82 REV 2 DTD 04/02/01, ASTM  
A 36-00A

MRKS-16-80102  
MFST-MON/FRI 7A/12NOON MFST HITACHI LIFT MAX 10  
TON-SIZES & GRADES SEP UNLDG OH-PLATE HOOK  
M/SH-00000 BSC-GH843-5466  
PROC-00000K URNO-452795  
CUST-16-80102

01	411N78110	1	.4722	90	240	2893
MRKS-STENCIL: IAC-15971. MFST-MFST REF# IAC-15971						

INSP-10E31  
SPEC-83000000RC-K02600-168 REV 2 DTD 06/08/01, ASTM  
A 36-00A

MRKS-16-80102  
MFST-MON/FRI 7A/12NOON MFST HITACHI LIFT MAX 10  
TON-SIZES & GRADES SEP UNLDG OH-PLATE HOOK  
M/SH-00000 BSC-GH843-5466E  
PROC-00000K URNO-452841  
CUST-16-80102

01	411N77710	3	.9743	90	240	17904
01	421N04510	1	.9743	90	240	5968
01	422N52110	1	.9743	90	240	5968
MRKS-STENCIL: IAC-16116. MFST-MFST REF# IAC-16116						

CONTINUES ON SHEET 2

CAUTION - TO RECOVER THROUGH SUPPLIER FOR ANY LOSS OR DAMAGE  
IN TRANSIT, CONSIGNEE MUST TAKE PROPER EXCEPTIONS AT TIME OF DELIVERY

SHIPPING NOTICE



SHIPPING NOTICE

BETHLEHEM STEEL CORPORATION

www.bethsteel.com

SHIPPER 803-08740

CUSTOMER / SN - BL - INV 160420-00 3	TERMS / SN 701	DIET / DL 021 2H	POD 16	ZONE / SN - BL 3409	MKT 140	FOB 04	TAX X1	SPI C 347249	FREIGHT PREPAID
S O L D T O A M CASTLE & CO 3400 N WOLF RD FRANKLIN PARK IL 60131					S H I P T O A M CASTLE & CO C/O TRISTATE 4412 DIXIE HWY FAIRFIELD OH 45014				

SHIP DATE / FROM / ROUTE

06/26/02 BURNS HARBOR, IN  
PIIM P I&I MTR EXP

VEHICLE ID.	NO. PACKAGES	DESCRIPTION, SPECIAL MARKS	WEIGHT (POUNDS)
TRAC TRLR 429	7	STEEL PLATES DUNNAGE FREE 100 MON/FRI 7A/12NOON DO NOT STORE OUTSIDE - KEEP UNDER COVER TRKR TO CALL PRIOR DELY PRIOR DELY 513-858-3179 TARP COVER	42319

INSP-10E31  
SPEC-48220000RC-K02600-169 REV 2 DTD 06/08/01, ASTM  
A 36-00A --- GAS CUT 4 SIDES

MRKS-16-80102  
MFST-MON/FRI 7A/12NOON MFST HITACHI LIFT MAX 10  
TON-SIZES & GRADES SEP UNLDG OH-PLATE HOOK  
M/SH-00000 BSC-GH843-5466G  
PROC-20000K URNO-452867  
CUST-16-80102

01 ACCT-0861-500-113  
422N77310 1 1.5648 90 240 9586  
MRKS-STENCIL: IAC-16232.  
MFST-MFST REF# IAC-16232

TOTALS 7 42319

HEAT NO	C	MN	P	S	SI	CU	NI	CR	MO	V	CB
411N77710	.12	1.09	.017	.015	.200	.070	.05	.06	.001	.002	.001
411N78110	.14	1.12	.020	.018	.240	.040	.03	.04	.001	.001	.001
421N04510	.12	1.08	.017	.013	.220	.080	.04	.04	.003	.003	.001
422N52110	.12	1.09	.013	.017	.200	.080	.04	.03	.001	.001	.001
422N77310	.18	1.15	.016	.017	.230	.100	.07	.05	.007	.002	.001

CAUTION - TO RECOVER THROUGH SUPPLIER FOR ANY LOSS OR DAMAGE  
IN TRANSIT, CONSIGNEE MUST TAKE PROPER EXCEPTIONS AT TIME OF DELIVERY

SHIPPING NOTICE





SHIPMEN: NO. 803-08740      DATE SHIPPED 00-00-00      CAR OR VEHICLE NO. TRLR      PAGE 2

**S O L D T O**  
**A M CASTLE & CO**  
 3400 N WOLF RD  
 FRANKLIN PARK IL 60131

**S H I P T O**  
**A M CASTLE & CO**  
 C/O TRISTATE  
 4412 DIXIE HWY  
 FAIRFIELD OH 45014

S E R I A L N U M B E R	P A T N O.	H E A T N U M B E R	N O P C S	S I Z E A N D Q U A N T I T Y				Y I E L D P O I N T	T E N S I L E S T R E N G T H	E L O N G	R E D
				T H I C K N E S S	W I D T H O R D I A	L E N G T H	W E I G H T				

INCHES    INCHES    INCHES    POUNDS    PSI    PSI    IN

QUALITY STEEL MELTED & MANUFACTURED IN THE U. S. A.  
 NAFTA CERTIFIED AS NORTH AMERICAN DOMESTIC  
 PLATES - K02600-168 REV 2 DTD 06/08/01, ASTM  
 A 36-00A

NO WELD REPAIR WAS PERFORMED ON BELOW PLATE(S)  
 MFST - MON/FRI 7A/12NOON MFST HITACHI LIFT MAX 10  
 TON-SIZES & GRADES SEP UNLDG OH-PLATE HOOK

CO# 16-80102 GH 843-5466E  
 MERCURY IN ANY FORM HAS NOT BEEN USED  
 IN THE PRODUCTION OF THIS ORDER

411N77710	3	.9743	90	240	17904	45500	63100	8	30
(M55)MFST REF#: IAC-16116									
421N04510	1	.9743	90	240	5968	40000	63200	8	29
(M55)MFST REF#: IAC-16116									
422N52110	1	.9743	90	240	5968	40900	63000	8	29
(M55)MFST REF#: IAC-16116									

Q-QUENCH TEMPERATURE      T-TEMPERATURE      N-NORMALIZE TEMPERATURE

S E R I A L N U M B E R	P A T N O.	H E A T N U M B E R	H A R D	B E N D	T H I C K N E S S	T Y P E	S I Z E	D I R	T E S T T E M P	C H A R P Y I M P A C T								
										E N E R G Y			S H E A R (%)			L A T. E X P		
										F T.	L B S.		1	2	3	1	2	3

H E A T N U M B E R	C H E M I C A L A N A L Y S I S																M Q U A D G R A I N S I Z E
	C	Mn	P	S	Si	Cu	Ni	Cr	Mo	V	Ti	Al	B	Cb	N		
411N77710	.12	1.09	.017	.015	.200	.070	.05	.06	.001	.002					.001		
421N04510	.12	1.08	.017	.013	.220	.080	.04	.04	.003	.003					.001		
422N52110	.12	1.09	.013	.017	.200	.080	.04	.03	.001	.001					.001		

I certify that the above results are a true and correct copy of actual results contained in records maintained by Bethlehem and are in full compliance with the requirements of the specification cited above. This test report cannot be altered and must be transmitted intact with any subsequent third party test reports, if required.  
 PRODUCED UNDER A CERTIFIED QMS COMPLYING WITH ISO 9002 ABS-QE CERT. #30477

SUPV. QUALITY AND PRACTICE DEVELOPMENT      PER



BETHLEHEM PLATE DIVISION

QUALITY AND PRACTICE DEVELOPMENT  
REPORT OF TEST AND ANALYSES

SHIPMENT NO. 803-08740      DATE SHIPPED 00-00-00      CAR OR VEHICLE NO.      TRLR      PAGE 3

S O L D I D O	A M CASTLE & CO 3400 N WOLF RD FRANKLIN PARK IL 60131				S H I P T O	A M CASTLE & CO C/O TRISTATE 4412 DIXIE HWY FAIRFIELD OH 45014			

S E R I A L N O.	P A T N O.	H E A T N O.	N O. P C S.	S I Z E A N D Q U A N T I T Y			W E I G H T	Y I E L D P O I N T	T E N S I L E S T R E N G T H	E L O N G.	R E D.
				T H I C K N E S S	W I D T H O R D I A.	L E N G T H					

QUALITY STEEL MELTED & MANUFACTURED IN THE U. S. A.  
 NAFTA CERTIFIED AS NORTH AMERICAN DOMESTIC  
 PLATES - K02600-169 REV 2 DTD 06/08/01, ASTM  
 A 36-00A --- GAS CUT 4 SIDES  
 NO WELD REPAIR WAS PERFORMED ON BELOW PLATE(S)  
 MFST - MON/FRI 7A/12NOON MFST HITACHI LIFT MAX 10  
 TON-SIZES & GRADES SEP UNLDG OH-PLATE HOOK  
 CO# 16-80102 GH 843-5466G  
 MERCURY IN ANY FORM HAS NOT BEEN USED  
 IN THE PRODUCTION OF THIS ORDER  
 422N77310 1 1.5648 90 240 9586 45500 72600 2 31  
 (M55)MFST REF#:IAC-16232

Q-QUENCH TEMPERATURE      T-TEMPERATURE      N-NORMALIZE TEMPERATURE

S E R I A L N O.	P A T N O.	H E A T N O.	H A R D	B E N D	T H I C K N E S S I N C H E S	T Y P E	S I Z E	C I R	T E S T T E M P	C H A R P Y I M P A C T								
										E N E R G Y F T. L B S.			S H E A R (%)			L A T. E X P M I L		
										1	2	3	1	2	3	1	2	3

H E A T N O.	C H E M I C A L A N A L Y S I S															M Q U A I D G R A I N S I Z E			
	C	Mn	P	S	Si	Cu	Ni	Cr	Mo	V	Ti	Al	B	Ca	N				
22N77310	.18	1.15	.016	.017	.230	.100	.07	.05	.007	.002									.001

I certify that the above results are a true and correct copy of actual results contained in records maintained by Bethlehem and are in full compliance with the requirements of the specification cited above. This test report cannot be altered and must be transcribed in exact with any subsequent third party test reports, if required.  
 PRODUCED UNDER A CERTIFIED QMS COMPLYING WITH ISO 9002 ABS-QE CERT. #30477  
 SUPV. QUALITY AND PRACTICE DEVELOPMENT      PER



# DRIVER'S DAILY LOG

60 and 70 hour  
recaps on reverse

Original (White): Home Terminal  
Copy (Yellow): Driver Retains

06/26/02  
DATE (MONTH/DAY/YEAR)

DRIVER MILES

TEAM MILES

630-429  
VEHICLE NUMBERS

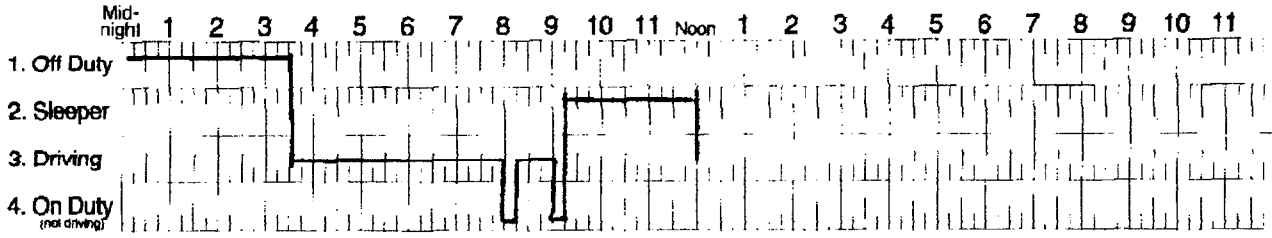
34911  
DRIVER ID(S)

**PI & I MOTOR EXPRESS, INC.**  
COMPANY

CO-DRIVER NAME

**MASURY, OHIO 44438**  
MAIN ADDRESS

*DeLITE Foundry Co. OH 15 Skids*  
SHIPPING DOCUMENT NUMBER(S), OR NAME OF SHIPPER AND COMMODITY



TOTALS

Total MUST add  
up to 24 hours.  
.25 = 1/4 hr  
.50 = 1/2 hr  
.75 = 3/4 hr

Remarks:  
*Bred End OK pin*  
*Gary IN*  
*Burn's Harbor IN*  
*Burn's Harbor IN*

Number of  
off-duty days  
INCLUDING  
today:

SIGNATURE / CERTIFICATION

396.11 DVIR  
Completed

Repairs  
Needed

Show when and where each change of duty status occurred.  
Use time standard at home terminal.

© Copyright 1996, Eclipse Software Systems, Inc., Greeley, CO.  
All rights strictly reserved. Duplication in any manner is prohibited.

Please Initial  
to certify.

## Vehicle Inspection Report

Date: \_\_\_\_\_ Tractor: \_\_\_\_\_ Trailer: \_\_\_\_\_

Carrier: **PI & I MOTOR EXPRESS, INC.**

Address: **MASURY, OHIO 44438**

### TRACTOR

- Air compressor
- Air lines
- Alternator
- Battery
- Body
- Brake accessories

- Brakes
- Clutch
- Defroster
- Drive line
- Engine
- Exhaust
- Fifth wheel
- Front axle

- Fuel tanks
- Heater
- Horn
- Lights: Head, stop, tail, dash, turn
- Mirrors
- Muffler
- Oil pressure

- Radiator
- Rear end
- Reflectors
- Safety equip: triangles, flags, flares, fuses, spare

- bulbs and fuses, spare seal beam
- Springs
- Starter
- Steering
- Tacho-graph
- Tires
- Tire chains

- Transmission
- Wheels
- Windows
- Windshield wipers
- Other:

### TRAILER

- Brake connections
- Brakes
- Coupling devices
- Doors
- Hitch
- King pin

- Landing gear
- Lights (all)
- Roof
- Springs
- Tarpaulin
- Tires
- Wheels
- Other:

### Days On-duty or Driving

- A. 7 days ago
- B. 6 days ago
- C. 5 days ago
- D. 4 days ago
- E. 3 days ago
- F. 2 days ago
- G. Yesterday
- H. Today

Condition of vehicles is satisfactory

Checked items may affect safety or result in breakdown (explain):

Defects corrected

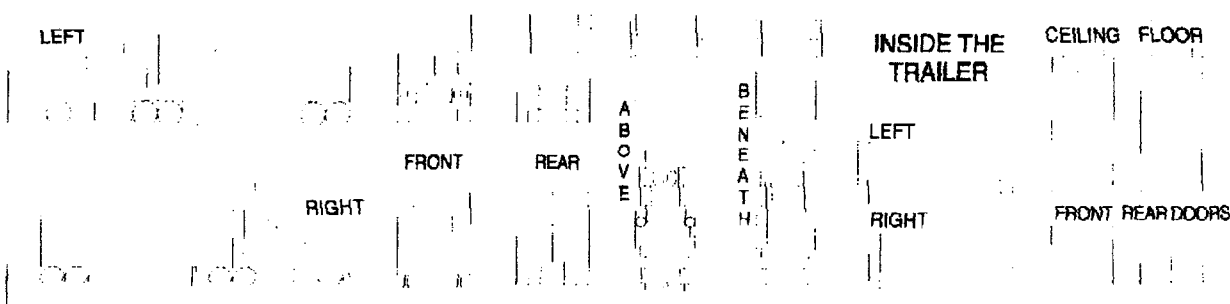
Defects need not be corrected for safe operation of vehicle

Mechanic: \_\_\_\_\_ Date: \_\_\_\_\_

Driver: \_\_\_\_\_ Date: \_\_\_\_\_

Signature  
Remarks

Use these diagrams to mark damage or help mechanic locate problems. Explain in "remarks" section.



### 60/70 Drivers

J. 7 day total  
Add B thru H

Tomorrow:  
60 + B - J

### 70/80 Drivers

K. 8 day total  
Add A thru H

Tomorrow:  
70 + A - K



## Continuation Sheet

### DESCRIPTION OF SUBJECT:

This is a steel hauler transporting steel from Burns Harbor, IN to Fairfield, OH.

### REASON FOR CONTACT:

Load securement task force in Northeast Indiana specifically addressing steel haulers and safe loading practices.

### KNOWLEDGE AND WILLFULNESS:

The carrier has had one prior review that was conducted on 01/24/2002.

From 10/23/1999 through 03/23/2002 the carrier profile shows the carrier was cited for load securement violations 35 times.

### ENFORCEMENT REASON:

A level 2 inspection was conducted, violation was so severe it was an OOS violation. The trailer was loaded with seven (7) steel plates; all stacked on top of each other for a total weight of 42,319 lbs. The aggregate working load limit of the tiedown assemblies used to secure the articles against movement in any direction must be at least 1/2 times the weight of the articles. This would require at least 21,159 lbs of working load limit of the tiedown assemblies used for securement. The carrier used four (4) 5/16" G7 Chains to secure the load, however two of the chains had twisted and/or had stretched links. The carrier was missing 56% of the required type and number of tiedown assemblies. Therefore, the working load limit of the tiedown assemblies did not meet the requirements of 393.102(b). The amount securement did not meet the working load limit.

### DEFENSES:

None

### ADDITIONAL INFORMATION:

President of the company is Joseph Kerola.

Type of violation is non-record keeping(high).

Follow-up required: No

This is a Safestat E carrier.

No Compliance Review was performed as this enforcement action is the result of a load securement detail. This enforcement case was prepared in accordance with the field operations training manual.

UFA was not used for roadside violations.

Assessment was \$3,000 per State Director.

Recommended Claim:

\$3,000 dollars

**SUBJECT : P I & I Motor Express Inc**

**CASE NUMBER : IN-2002-524-IN4715**

Attached copy of photographs taken.