



U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Hazardous Materials Safety, Field Operations

REVISED

TICKET FOR NONCOMPLIANCE

Date: February 9, 2022

Ticket Number: 21T-0410-CA-EA

RESPONDENT: Lake Champlain Transportation Company
King Street Dock
Burlington, VT 05401
Attn: Raymond C. Pecor, III, Owner

USDOT/PHMSA/OHME
MAR 14 '22 AM 8:21

STATEMENT OF VIOLATION AND PENALTY

Based on a compliance inspection conducted at your facility in Burlington, VT on October 20, 2021, Lake Champlain Transportation Company, was found to have:

Failed to register as a carrier of HAZMAT, therefore, in violation of Section 107.608 and is assessed a penalty of \$480.00.

Transported HAZMAT by vessel without a shipping paper; therefore, in violation of Section 176.24(a) and is assessed a penalty of \$470.00.

The total penalty assessed is \$950.00. Corrective action has been considered in determining the penalty amount.

If within 45 days of receipt of this ticket, you pay the penalty, this matter will be closed. If you submit an informal response or request a formal hearing, you may be subject to the full guideline penalty of \$2,200.00. If, within 45 days, you do not remit the ticket amount, submit an informal response, or request a formal hearing, you will have admitted the violation and will owe the ticket penalty to the Department of Transportation. PHMSA encourages you to submit a statement, which may be included in your response, about additional corrective action which has been taken to correct the stated violation.

Mitchell Brown
Chief, Eastern Region

RESPONSE OPTIONS

Within 45 days of receipt of this ticket, please choose one of the following options:

- ☐ 1. I choose to pay the amount stated above for this ticket by submitting a certified check, a money order or paying electronically and by doing so agree to waive my right to a formal hearing.
- ☒ 2. I wish to make an informal response as authorized under 49 CFR § 107.317.
- ☐ 3. I am requesting a formal administrative hearing as authorized under 49 CFR § 107.319.

If you choose to pay the ticket, make a certified check or money order payable to the "U.S. Department of Transportation" and send with a copy of this ticket to DOT/MMAC/PHMSA, AMK-325/HQ-RM 181, 6500 S McArthur Blvd, Oklahoma City, OK 73169.

In order to pay the ticket electronically via the Internet using a credit card or an electronic check, visit our PHMSA Hazmat Enforcement website using the following address: <https://www.pay.gov/public/form/start/1078346/>

Regardless of option selected, please sign below and attach any information, including a statement of corrective action, you believe relevant to the matter and mail to the Director, Eastern Region, 840 Bear Tavern Road, Suite 300, West Trenton, NJ 08628. If you have any questions, please call the office at 609-771-7890.

Heather Stewain

Printed Name of Company Representative

H. Stewain 28 Feb 2022

Signature and Date

PENALTY AUTHORITY

Administrative assessment of civil penalties is authorized under 49 U.S.C. § 5123, which provides for a penalty of not more than \$81,993 for each violation of the Hazardous Materials Regulations.

February 28, 2022

Mr. Vincent Mercadante
Director, Eastern Region
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Eastern Region, 840 Bear Tavern Road, Suite 300
West Trenton, NJ

Ticket Number: 21T-0410-CA-EA

Dear Mr. Mercadante:

Please find enclosed our revised ticket for non-compliance. I much appreciate the time and details that you have spent with me explaining what is involved with our process.

I would like to ask for some additional consideration in the reduction of the fine that has been assessed to Lake Champlain Transportation Company.

Sincerely,

H. Stewart

Heather Stewart, Operations Manager
Lake Champlain Transportation Co.



KING STREET DOCK, BURLINGTON, VERMONT 05401

* PHONE: 802-864-9804 802-660-3495 * FAX: 802-864-6830

* WEB SITE : <http://www.ferries.com>