

**BEFORE THE
UNITED STATES DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION**

PHMSA CASE NUMBER

25-0090-SH-SW

IN THE MATTER OF:

**Smitty's Supply, Inc.
(Respondent)**

FINAL ORDER

By this Order, I find that Smitty's Supply, Inc. (Respondent) committed four (4) violations of the Hazardous Materials Regulations (HMR), 49 CFR Parts 171-180, and I assess Respondent a \$9,635 civil penalty.

On July 17, 2025, the Office of Chief Counsel issued a Notice of Probable Violation (Notice) to Respondent proposing a \$9,635 civil penalty for four (4) violations of the HMR. On July 29, 2025, Respondent submitted a payment in the amount of \$9,635. By paying the full amount of the civil penalty proposed in the Notice, Respondent admitted the violations as alleged in the Notice (49 CFR § 107.315). Therefore, I find Respondent committed the violations as set forth in the Notice.

These violations shall constitute as prior violations under 49 U.S.C. § 5123 in the event Respondent commits any future violation of the Federal hazardous materials transportation law, 49 U.S.C. § 5101 et seq., or the HMR.

By paying the proposed civil penalty, Respondent waived all rights to further respond to the Notice and to appeal this Order. Accordingly, PHMSA accepts Respondent's July 29, 2025, payment in full satisfaction of the civil penalty proposed in the Notice, and PHMSA shall close this case with prejudice.

Dated: August 5, 2025

It is so Ordered,

**ADAM SCHAEFER
HORSLEY**

for Keith J. Coyle
Chief Counsel

Digitally signed by ADAM
SCHAEFER HORSLEY
Date: 2025.08.05 16:29:27
-04'00'