

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

PHMSA CASE NUMBER

24-0142-SH-CE

IN THE MATTER OF:

**EES Coke Battery, LLC
(Respondent)**

FINAL ORDER

By this Order, I find that EES Coke Battery, LLC (Respondent) committed two (2) violations of the Hazardous Materials Regulations (HMR), 49 CFR Parts 171-180, and I assess Respondent a \$2,800 civil penalty.

On May 31, 2025, the Office of Chief Counsel issued a Notice of Probable Violation (Notice) to Respondent proposing a \$2,800 civil penalty for two (2) violations of the HMR. On June 27, 2025, Respondent submitted a payment in the amount of \$2,800. 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 June 27, 2025, payment in full satisfaction of the civil penalty proposed in the Notice, and PHMSA shall close this case with prejudice.

Dated: August 11, 2025

It is so Ordered,

**ADAM SCHAEFER
HORSLEY**

Digitally signed by ADAM
SCHAEFER HORSLEY
Date: 2025.08.11 11:36:52
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for Keith J. Coyle
Chief Counsel