



## Investigation Report No. 15248007

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

**Respondent Name and Address:**

Transportation Services Unlimited  
3901 N.W. 115th Avenue  
Miami, FL 33178

**Inspection Date:** 01/21/2015

**Contact:** Ms Robin Bolte, Regulatory Affairs Manager  
**Phone:** (305) 888-2623  
**Fax:** (305) 885-4671

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**Type of Inspection:** 52 - Accident/Failure Investigation**Result:** Warning Letter

**Investigator:** Bob Burns  
**Title:** Hazardous Materials Investigator

**Supervisor Name:** Matt Ripley  
**Title:** Chief, Southern Region

**Authorization Date:** 11/02/2015**Signature:**

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**Summary of Inspection**

On January 14, 2015, Hazardous Materials Investigator Robert Burns conducted an investigation into a hazardous materials release that occurred on Monday, January 12, 2015, at the Poolsure Company located at 567 3rd Street, Holly Hill, Florida 32117. Investigator Burns was assisted by Federal Motor Carrier Safety Administration (FMCSA) Hazardous Materials Specialist, Joseph Gubino. The incident involved a release of chlorine gas produced by the unintentional mixing of Class 8, UN1791 Sodium Hypochlorite and Class 8, UN2796 Sulfuric Acid which resulted in persons being exposed to the gas and subsequent medical treatment of those persons. A cargo tank truck operated by Transportation Services Unlimited, Inc., based in Fort Pierce, Florida, was attempting to off-load Sodium Hypochlorite into fixed storage tanks on site at Poolsure when the driver/operator of the tank truck connected a delivery hose from the tank truck filled with UN1791 Sodium Hypochlorite to a fill line to two each storage tanks containing UN2796 Sulfuric Acid. The mixture of the two materials caused the evolution of a chemical gas during which the driver/operator was overcome by the gas as well as several local residents nearby.

This investigation spanned a period of three weeks at the Poolsure facility and the Transportation Services Unlimited, Inc., facility in Fort Pierce then culminated at Allied Universal Corporation in Miami, Florida. Allied Universal Corporation is the parent company of Transportation Services Unlimited, Inc., and the manufacturer of the Sodium Hypochlorite while Transportation Services Unlimited performs the transportation functions for the companies.

The purpose of the investigation was to determine the root cause of the accident and make recommendations for corrective measures as well as enforcement action if warranted. The actions taken by the DOT investigative team involved numerous interviews of law enforcement and emergency response personnel, interviews with Poolsure management, Transportation Services Unlimited, Inc., personnel and Allied Universal Corporation management. Many documents were reviewed and collected and photographs captured in order to obtain a sequence of events leading up to the chemical gas release. Video footage from cameras at Poolsure was also reviewed and collected and is stored on the agency's "N" drive in a folder titled "Holly Hill Chlorine Incident Photos" as indicated in this report.

At the conclusion of this investigation the findings were discussed with Allied Universal Corporation Regulatory Affairs Manager, Ms. Robin Eddy Bolte and Mr. Jim LaFreniere, Fleet Logistics Manager for Transportation Services Unlimited, Inc., at Allied Universal Corporation's corporate headquarters located at 3901 N.W. 115th Avenue, Miami, Florida 33178. The findings involved human error but also several probable violations of the Hazardous Materials Regulations which were discussed during the Exit Briefing (Exhibit 1). The violations concerned, failure to comply with the attendance requirements for unloading cargo tanks of hazardous materials; failure to provide employees function-specific training about certain provisions of DOT Special Permits and cargo tank unloading operations, and marking an incorrect Special Permit Number on a shipping paper.

On April 28, 2015, the reporting investigator received a letter of corrective action and the results of an internal investigation (Exhibits 20 - 27) from Ms. Bolte, which provides documented evidence the probable violations have been addressed and corrected. The company conducted an in-house root cause analysis of the incident with findings similar to the findings in this report and implemented a comprehensive remedial training program, revision of Standard Operating Procedures, and the hiring of a full time "Driver Safety Compliance Manager" to manage a quality control and training program for the company's transportation operations. Extensive documentation was included with the response to support the explanations provided.

**Violation Number:** 1

**Number Discovered:** 1

**49 CFR Section:**

171.2(a)  
177.800(b)  
177.834(a)

**Exhibit:** 2,3,4,5,6,7,8,9,10,11,12,13,14,15,18,20,25,26,27

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**Violation Description:**

Offering for transportation and transporting in commerce, a hazardous material "RQ, UN1791, Hypochlorite Solutions 8, III" contained in a bulk cargo tank, while failing to comply with the attendance requirements for unloading cargo tanks, in violation of 49 CFR, 171.2(a), (b), (f) and 172.800(b) and 177.834(1) - (4).

**Evidence Summary:**

On January 14, 2015, Hazardous Materials Investigator Robert Burns conducted an investigation into a hazardous materials release that occurred on Monday, January 12, 2015, at the Poolsure Company located at 567 3rd Street, Holly Hill, Florida 32117. Investigator Burns was assisted by Federal Motor Carrier Safety Administration (FMCSA) Hazardous Materials Specialist, Joseph Gubino. The incident involved a release of chlorine gas produced by the unintentional mixing of Class 8, UN1791 Sodium Hypochlorite and Class 8, UN2796 Sulfuric Acid which resulted in persons being exposed to the gas and subsequent medical treatment of those persons. A cargo tank truck operated by Transportation Services Unlimited, Inc. (TSU) based in Fort Pierce, Florida, was attempting to off-load Sodium Hypochlorite into fixed storage tanks on site at Poolsure when the driver/operator of the tank truck connected a delivery hose from the tank truck filled with UN1791 Sodium Hypochlorite to a fill line to two each storage tanks containing UN2796 Sulfuric Acid. The mixture of the two materials caused the evolution of a chemical gas during which the driver/operator was overcome by the gas as well as several local residents nearby. TSU is registered with the U.S. DOT as transporter of hazardous materials with a Hazardous Materials Certificate of Registration valid at that time under registration number 052714 550 022W (Exhibit 2).

On January 12, 2015, at approximately 16:31 hours, Oliver Spann, a driver for TSU arrived at Poolsure, 567 3rd Street, Holly Hill, Florida 32117, with a cargo tank motor vehicle (tractor 2626 and tank 1626) displaying placards of Class 8 "1791" (See video, "N" drive, "HH Front 011215 4:38 – 4:44") and with a bill of lading (Exhibit 3) number 130671 indicating the cargo was a hazardous material shipment of "UN1791, Hypochlorite Solutions (Sodium Hypochlorite), 8, PG III, DOT-SP 12516" destined to this address in Holly Hill.

Mr. Spann was to make delivery of the hypochlorite solution into fixed storage tanks at Poolsure however no Poolsure employees were there and the building and fenced and gated tank storage area was locked. Through telephone conversations with his TSU dispatcher in Fort Pierce, Florida, Mr. Spann received a code to unlock the gate and backed his cargo tank truck into the fenced area at approximately 17:41 hours (Exhibit 20, page 4). The cargo tank was placed in front of two large fixed storage tanks displaying Class 8 "2796" placards and the tanks piping and connection port caps were marked "ACID" (Exhibit 11 & See video, "N" drive, "Truck Backing").

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Mr. Spann connected the delivery hose from his cargo tank to the 2" connection coupling of the fixed storage tanks of sulfuric acid and unloading of the hypochlorite solution commenced at about 17:45 hours. The video cameras at Poolsure depict (See video, "N" drive, "HH Front 011215 5:41 – 6:03"), and Allied Universal Corporation's (AUC) own internal investigation (Exhibit 20, page 5) revealed Mr. Spann was not in attendance with the cargo tank and hoses but next to the cab of his tractor at 17:51 hours, and walking back and forth in front of his tractor a few minutes later (See video, "N" drive, "Driver Back and Forth Center St.). Investigator Burns and Hazardous Materials Specialist Joseph Gubino verified by measurement that this distance where Mr. Spann was located would have been about seventy-nine feet from the rear of the cargo tank (Exhibit 12, pages 3 - 6).

Sodium hypochlorite and sulfuric acid are not compatible materials (See SDS, Exhibit 4, page 3) and the mixture of the hypochlorite solution and sulfuric acid resulted in the evolution of a chemical gas release causing exposure to Mr. Spann and various degrees of exposure to approximately ten more people. At 18:01 hours the Holly Hill, Florida, Fire Department was notified of a possible chemical gas release and responded with Engine 96 at 18:08 hours (Exhibits 5, 9 & 20, page 5). The crew of Engine 96 spoke with Mr. Spann who had been exposed to a chemical gas cloud while attempting to mitigate the incident near the rear of the cargo tank and storage tanks. Following Mr. Spann's instructions the Holly Hill Fire Department was able to turn off the ignition to the tractor and close the valves on the cargo tank effectively discontinuing the unloading of hypochlorite solution into the acid tanks at about 18:21 hours (Exhibits 5 & 20, page 5).

Several people were hospitalized and others treated on site and released (Exhibit 6). TSU made notifications as required to several Federal and state agencies (Exhibits 7 & 8), the Holly Hill Police Department responded (Exhibit 9), and this incident gained attention of the news media (Exhibit 10).

Management from Poolsure took photographs (Exhibit 11) of the cargo tank with delivery hose attached to the fixed storage tanks later that evening after the scene was deemed safe by police and emergency response personnel. The photographs depict hose line fitted to the cargo tank of hypochlorite solution still attached to the fixed storage tanks of sulfuric acid and the piping from the fixed tanks are marked "ACID".

Investigator Burns captured photographs (Exhibit 12) at Poolsure's fixed tank storage area which denote the storage tanks Mr. Spann connected his cargo tank of hypochlorite solution to were clearly placarded with Class 8 "2796" placards and the piping and fittings were marked "ACID". There were fixed storage tanks of hypochlorite solution located in the tank storage area as well (Exhibit 12, pages 17 - 27) to the left and thirty-five feet from the sulfuric acid tanks clearly marked with Class 8 "1791" placards.

Investigator Burns captured photographs (Exhibit 13) of the cargo tank truck at TSU's facility in Fort Pierce, Florida, and verified with FMCSA's Hazardous Materials Specialist Joseph Gubino that the cargo tank truck was within current test dates. The DOT investigative team noted that cargo tank number 1626 was a DOT specification 412 cargo tank displaying Class 8 "1791" placards on both sides and both ends. Also noted was that the cargo tank is marked "US DOT SP-10878" which means a DOT Special Permit applies to this package (Exhibit 18).

On January 20th and 21st, 2015, Investigator Burns and Hazardous Materials Specialist Joseph Gubino visited TSU's corporate headquarters of AUC in Miami, Florida, to discuss this matter with Regulatory Affairs Manager, Ms. Robin Eddy Bolte and Mr. Jim LaFreniere, Fleet Logistics Manager for TSU. The DOT investigative team also reviewed company training programs, training records, and Standard Operating Procedures (SOP's).

Of particular note is SOP 518A, "Tanker Operation For Delivery of Sodium Hypochlorite" (Exhibit 14). Section 18A.2.2 "Customer Delivery" Item 9, sub-items d) through p) as follows:

- d) Secure the quick connect on the hose at customer tank connection making sure the ears are secure and there is a tight seal.
- e) Remove the quick connect cap from the product and air lines on the tanker.
- f) Secure the quick connect on the hose at the tanker connection making sure the ears are secure there is a tight seal.
- g) Write the gallons on the delivery ticket from visual on the tanks and meter from the tanker.
- h) Open the valve at customer fill location.
- i) Open the product actuator valve on the tanker.
- j) Open the product valve to start the product flow.
- k) Check bleach flow and verify no leaks.
- l) Go to side of tractor and connect airline to truck.
- m) Open air actuator valve.
- n) Build up pressure on tanker by raising the idle on the tractor.
- o) As bleach begins to transfer driver must watch customer tank and tanker to be sure no leaks appear around tanker or hose.
- p) Maintain a visual of the tanker at all times and never leave a pressurized and/or connected tanker unattended.

Additionally, function-specific training for the drivers reviewed in "Liquid Tanker Driver Training Booklet #21" (Exhibit 15) came into question. Section 11 as follows:

- Unfasten rubber straps on hose tray of tanker and carefully pull hose from tanker to customer tank.
- Hook-up quick connects between customer tank and tanker.
- Close valve on bottom of tanks(s) supplying customer transfer/fill stations.
- Write beginning gallons on delivery ticket visual of tank(s).
- Open valve at quick connect.
- Open liquid & air valves on top of tanker.
- Go to rear of tanker and open liquid flow valve.
- Check fluid flows verify no leaks.
- Go to left side of tractor, connect air hose and turn on valve. Rev engine between 10 – 15 thousand RPM's to build pressure in tanker for approx. 2 – 6 minutes.
- Build pressure to 10 psi on first stop, then on second stop pressure may be built up to 18 – 22 psi while checking gauge.
- Fluid will begin transferring, watch customer tank and tanker to be sure no leaks.
- Never leave a pressurized and/or connected tanker unattended.

The DOT investigative team pointed out to Ms. Bolte and Mr. LaFreniere that the company's SOP and related training for unloading of cargo tanks violates the attendance requirements during unloading as stipulated by 49 CFR 177.834(i), in that the process is to open valves on the cargo tank and fixed storage tanks to begin flow of liquid then leave the rear of the cargo tank to climb into the cab of the tractor to start the engine and build up air pressure which takes a few minutes. This process is to further the unloading through pressure then the driver is to return to the rear of the cargo tank and monitor the operation. The regulatory requirement is to remain within twenty-five feet with an unobstructed view of the cargo tank and delivery hose. Sitting in the cab of the tractor some forty feet away from the rear of the cargo tank and delivery hose would not provide an unobstructed view of the hose and activities occurring back there, if something would go wrong the driver would not be aware of that until he returned to the rear of the cargo tank. In this case driver Oliver Spann apparently walked into the chemical gas cloud when returning to the rear of the vehicle after the situation was out of control.

In summary, this incident was indeed the result of human error on part of the driver Oliver Spann by connecting and unloading product into the incorrect storage tanks.

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However, the company's operating procedures for unloading cargo tanks prevents its drivers from being able to immediately mitigate an incident like this from not being in attendance when valves are open and product is flowing. Sitting in the cab of the tractor over forty feet away from delivery hoses attached to the rear of a cargo tank to pressurize the system does not provide an opportunity for drivers to observe the operation and take immediate action when things go awry.

49 CFR, Section 177.834(i)(3) states, in part "A qualified person "attends" the loading or unloading of a cargo tank if, throughout the process, he is alert and is within 7.62 m (25 feet) of the cargo tank. The qualified person attending the unloading of a cargo tank must have an unobstructed view of the cargo tank and deliver hose to the maximum extent practicable during the unloading operation."

On April 28, 2015, the reporting investigator received a letter of corrective action and the results of an internal investigation (Exhibit 20) from Ms. Bolte, which provides documented evidence this probable violation has been corrected. The company revised and enhanced SOP 518A for cargo tank unloading by restructuring the procedure to begin unloading product with drivers physically present when valves are opened and product begins flowing and remain within twenty-five feet unobstructed view until unloading is completed. Basically, the SOP now requires drivers to connect hoses and build up air pressure then open valves to release product while monitoring the operation (Exhibit 20). The training manual has been revised to reflect this new procedure as well (Exhibits 20 & 25 - 27).

**Violation Number:** 2

**Number Discovered:** 1

**49 CFR Section:**

171.2(a)  
172.704(a)(2)  
177.810(b)

**Exhibit:** 3,13,15,16,17,18,20,26,27

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**Violation Description:**

Offering for transportation and transporting in commerce, a hazardous material, "RQ, UN1791, Hypochlorite Solutions 8, III", in cargo tanks governed under the provisions of DOT Special Permits, while failing to provide function-specific training to employees concerning requirements contained in the Special Permits, and, specialized training about certain cargo tank operations, in violation of 49 CFR 171.2(a) & (b), 172.704(a)(2), 173.22a(b), 177.810(b)(4) and DOT-SP 10878 Section 11 and DOT-SP 12516 Section 11.

**Evidence Summary:**

As discussed in Violation 1 of this report, the shipping paper involved, bill of lading number 130671 indicates the cargo was a hazardous material shipment of "UN1791, Hypochlorite Solutions (Sodium Hypochlorite), 8, PG III, DOT-SP 12516" which denotes the cargo tank was a DOT Special Permit package (Exhibit 3). Note: the Special Permit number is incorrect and that is addressed in Violation 3 of this report.

Additionally, Investigator Burns captured photographs (Exhibit 13) of the cargo tank truck at TSU's facility in Fort Pierce, Florida. The DOT investigative team noted that cargo tank number 1626 was a DOT specification 412 cargo tank displaying Class 8 "1791" placards on both sides and both ends. Also noted was that the cargo tank is marked "US DOT SP-10878" which means a DOT Special Permit applies to this package (Exhibit 18).

During a review of employee hazardous materials training programs and training records at the AUC corporate office in Miami, Florida, the DOT investigative team of Burns and Gubino noted that the training curriculums and employee training record for driver/operator Mr. Oliver Spann did not address certain cargo tank requirements and there was no function-specific training for DOT Special Permits.

Specifically, neither "Liquid Tanker Driver Training Booklet #21" (Exhibit 15) nor "Hazard Material (HM) training Handbook US DOT 49 CFR 172 Subpart H" (Exhibit 16) highlight the 25 foot attendance rule for unobstructed view of the cargo tank and delivery hose. There is a reference to 25 feet in the training handbook (Exhibit 16, page 24) but that has to do with smoking in the case of transporting flammables or oxidizers. There is no discussion of emergency device features of cargo tanks such as emergency shut-off switches and what to do in emergency situations to safe the cargo tank, and no discussion about retest and inspection of cargo tanks. Neither document makes reference to DOT Special Permits or provides any training about Special Permits.

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The hazardous materials training and test records (Exhibit 17) provided for Mr. Oliver Spann dated February 12, 2014, denotes that he was trained and certified by his employer according to CFR 172 Subpart H however, the aforementioned topics were not addressed and there is no indication of training for the DOT Special Permits the company uses.

The DOT investigative team reviewed the function-specific training provisions described in 49 CFR 172.704(a)(2), 177.810(b), DOT-SP 10878(11) and DOT-SP 12516(11), with Ms. Bolte and Mr. LaFreniere prior to concluding the investigation.

ACU/TCU admitted after completing their internal investigation that TSU's current training program did not address these missing topics (Exhibit 20, page 3).

49 CFR, Section 172.704(a)(2) states, in part "Each hazmat employee must be provided function-specific training concerning requirements of this subchapter, or exemptions or special permits issued under subchapter A of this chapter, that are specifically applicable to the functions the employee performs."

49 CFR, Section 173.22a(b) states, in part "If an exemption or special permit authorizes the use of packaging for the transportation of a hazardous material by any person or class of persons other than or in addition to the holder of the exemption or special permit, that person or a member of that class of persons may use the packaging for the purposes authorized in the exemption or special permit subject to the terms specified therein."

DOT-SP 10878(11) and DOT-SP 12516(11), states "Each hazmat employee, as defined in 171.8 who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to training required by 172.700 through 172.704."

On April 28, 2015, the reporting investigator received a letter of corrective action and the results of an internal investigation (Exhibit 20) from Ms. Bolte, which provides documented evidence this probable violation has been corrected. The company revised their hazardous materials training curriculum and tests to include these missing topics and conducted remedial training and testing of employees. The revised training and test records were included as a large "Document Groups" with the response (Exhibits 20 & 26 - 27).

**Quality Control Item Number:** 3

**Number Discovered:** 1

**49 CFR Section:**

171.2(a)  
172.200(a)  
172.203(a)

**Exhibit:** 3,13,18,19,20

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**Quality Control Item Description:**

Offering for transportation and transporting in commerce, a hazardous material, "RQ, UN1791, Hypochlorite Solutions 8, III", in a cargo tank governed under the provisions of DOT Special Permit, and accompanied by a shipping paper which included an incorrect Special Permit number in association with the shipping description, in violation of 49 CFR 171.2(a), (b), (e) & (i), 172.200(a) & 172.203(a).

**Evidence Summary:**

As discussed in Violations 1 and 2 of this report, the shipping paper involved, bill of lading number 130671 indicates the cargo was a hazardous material shipment of "UN1791, Hypochlorite Solutions (Sodium Hypochlorite), 8, PG III, DOT-SP 12516" which denotes the cargo tank was a DOT Special Permit package (Exhibit 3).

However, Investigator Burns captured photographs (Exhibit 13) of the cargo tank truck at TSU's facility in Fort Pierce, Florida, and the DOT investigative team noted that cargo tank number 1626 was a DOT specification 412 cargo tank displaying Class 8 "1791" placards on both sides and both ends. Also noted was that the cargo is marked "US DOT SP-10878" which means the annotation DOT-SP 12516 on the shipping paper was incorrect.

ACU/TSU uses both Special Permits (Exhibits 18 & 19) as they have both Special Permit cargo tanks in their fleet. The DOT investigative team noted that ACU/TSU's shipping papers list both Special Permit numbers with a space beside each number to place a checkmark or an "X" to indicate which Special Permit cargo tank is being transported with that shipment. During the discussions at ACU in Miami, Florida, it was explained that it is the driver's responsibility to check off which Special Permit cargo tank they transport on any given trip.

Investigator Burns recommended the company consider enhancing their quality control procedures pointing to the fact that this option left up to driver may be cause for an error as in the case.

49 CFR, Section 172.203(a) states, in part "Each shipping paper issued in connection with a shipment made under a special permit must bear the notation "DOT-SP" followed by the special permit number assigned and located so that the notation is clearly associated with description to which the special permit applies."

On April 28, 2015, the reporting investigator received a letter of corrective action and the results of an internal investigation (Exhibit 20) from Ms. Bolte, which provides documented evidence this probable violation has been corrected. The company conducted remedial training with their employees to correctly identify and mark the correct Special Permit number of shipping papers and followed-up by performing random audits of shipping papers with no findings of non-compliance (Exhibit 20, page 4).

**Corrective Action or Additional Summary:**

Video footage from cameras at Poolsure is stored on the agency's "N" drive in a folder titled "Holly Hill Chlorine Incident Photos" as indicated in this report. This company's corrective actions were thorough and comprehensive and should prevent similar occurrences in the future.

**Exhibit Summary**

Evidence		Obtained From		
No.	Description	Name, Title	Company	City, State
1	Exit Briefing, Dated 01/21/2015	Robert Burns, Hazardous Materials Investigator	U.S. DOT/PHMSA/OHMS/Southern Region	Atlanta, GA
2	Hazmat Registration Certificate	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
3	Bill of Lading 1306971	Jim LaFreniere, Fleet Logistics Manager	Transportation Services Unlimited	Miami, FL
4	Safety Data Sheet, UN1791	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
5	Holly Hill Fire Department Incident Report	James Bland, Fire Chief	Holly Hill Fire Department	Holly Hill, GA
6	Holly Hill Fire Department Related Incident Reports	James Bland, Fire Chief	Holly Hill Fire Department	Holly Hill, FL
7	National Response Center Incident Report	Robert Burns, Hazardous Materials Investigator	U.S. DOT/PHMSA/OHMS/Southern Region	Atlanta, GA
8	HMIS Incident Report	Robert Burns, Hazardous Materials Investigator	U.S. DOT/PHMSA/OHMS/Southern Region	Atlanta, GA
9	Holly Hill Police Incident Report	Stephen Aldrich, Police Chief	Holly Hill Police Department	Holly Hill, FL
10	News Media Reports	Robert Burns, Hazardous Materials Investigator	U.S. DOT/PHMSA/OHMS/Southern Region	Atlanta, GA
11	Photos of Cargo Tank & Storage Tanks	Kevin Boyer, Compliance Manager	Poolsure	Houston, TX
12	Holly Hill Poolsure Site Photos	Robert Burns, Hazardous Materials Investigator	U.S. DOT/PHMSA/OHMS/Southern Region	Atlanta, GA
13	Fort Pierce TSU Site Photos	Robert Burns, Hazardous Materials Investigator	U.S. DOT/PHMSA/OHMS/Southern Region	Atlanta, GA
14	SOP 518A	Bob Burns, Hazardous Materials Investigator	US DOT/PHMSA/OHMS/Southern Region	Atlanta, GA
15	Liquid Tanker Driver Training Booklet #21	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
16	Hazardous Material Training Handbook	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
17	Oliver Spann Hazmat	Robin Bolte,	Transportation Services Unlimited	Miami, FL

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	Training Records	Regulatory Affairs Manager		
18	DOT-SP 10878	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
19	DOT-SP 12516	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
20	Letter of Correction (LOC), After Action Report	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
21	LOC Index Document Group 1	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
22	LOC Index Document Group 2	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
23	LOC Index Document Group 3	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
24	LOC Index Document Group 4	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
25	LOC Index Document Group 5	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
26	LOC Index Document Group 6	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
27	LOC Index Document Group 7	Robin Bolte, Regulatory Affairs Manager	Transportation Services Unlimited	Miami, FL
28	Extra Documents & Burns Investigative Field Notes	Robert Burns, Hazardous Materials Investigator	U.S. DOT/PHMSA/OHMS/Southern Region	Atlanta, GA



U.S. Department of Transportation

Office of Hazardous Materials Safety  
Field Operations – Southern Region

233 Peachtree Street NE, Suite 602  
Atlanta, Georgia 30303  
(404) 832-1140 Fax: (404) 832-1168

Pipeline and Hazardous  
Materials Safety Administration

### EXIT BRIEFING

COMPANY NAME TRANSPORTATION SERVICES UNLTD. DATE 01/21/2015

ADDRESS 3901 N.W., 115TH AVENUE, MIAMI, FL, 33178

COMPANY WEB ADDRESS WWW.ALLIEDUNIVERSAL.COM TAX ID# 65-0688022

NAME OF INDIVIDUALS RECEIVING THE BRIEFING:

Name: Jim LaFreniere Title: FLEET LOGISTICS MGR.

Email Address: JimL@allieduniversal.com

Name: Robin Bolte Title: REGULATORY AFFAIRS MGR.

Email Address: Robine@allieduniversal.com

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Email Address: \_\_\_\_\_

This has been a compliance inspection conducted in accordance with Title 49 U.S.C. Section 5121(c). This exit briefing addresses only the areas noted, and it is not a finding of general compliance in any other areas covered by the Hazardous Materials Regulations that were subject to the inspection.

During the course of the inspection the following probable violations of 49 CFR and/or quality control items were noted:

#### PROBABLE VIOLATIONS:

Section: 171.2(a), 177.800(b), 177.834(i)(2)-(4)

Explanation: FAILURE TO COMPLY WITH ATTENDANCE REQUIREMENTS FOR UNLOADING CARGO TANKS OF HAZARDOUS MATERIALS.

ON 01/12/2015, COMPANY BEGAN OFF-LOADING RQ, UN1791, HYPOCHLORITE SOLUTIONS, 8, III, ON BILL OF LADING 1306971, FROM CARGO TANK TRUCK 2626, WHILE LOADING THE PRODUCT WAS LOADED INTO A FIXED TANK INCORRECTLY OF UN2706, SULFURIC ACID. LOADING HAD BEGUN AND THE TRUCK DRIVER WAS NOT WITHIN 25 FEET AND WITHIN DIRECT VIEW OF UNLOADING AND DELIVERY HOSE.

THE LOADING RESULTED IN AN INCOMPATIBLE MIX OF CHEMICALS ON LOCATION AT PALMCREST IN HOLLY HILL FLORIDA, INJURY OF THE DRIVER AND NINE OTHER PERSONS, EMERGENCY RESPONSE, AND EVACUATION OF COMPANY.



**PROBABLE VIOLATIONS:**

Section: 171.2 (a), 172.704 (a) (2), DOT-SP 10878 section II, AND  
DOT-SP 12516 section II.

Explanation: Failure To provide function-specific Hazmat Training To Employees About Certain Cargo Tank Unloading Operations AND Provisions of DOT Special Permits.

Company's TRAINING curriculum AND Standard Operations procedure DISCUSS cargo tank off-loading AND Attendance But falls short of unobstructed view of cargo tank AND Delivery hose. ALSO Training AND familiarization of Certain Requirements of The Special Permits, i.e., compatibility, Annual Hydrostatic Testing, Tank Marking.

Section: 171.2 (a), 172.200 (a), 172.203 (a)

Explanation: Marking An Incorrect Special Permit Number ON A Shipping Paper.

Shipping Paper Previously Identified number 1306971, RP, UN1791, Hypochlorite Solutions, 8, III, WAS ANNOTATED "DOT-SP 12516" For Cargo Tank 2626, When In Fact Cargo Tank 2626 IS Covered By DOT-SP 10878.

Section: Follow-up ACTION ITEMS -

Explanation: Drug Testing Report of Company Driver Oliver SPANN IF The Company Receives IT AND IF NOT Please Provide CONTACT Information So we MAY Take Steps To Obtain The Results (if performed).

please Provide US AN After Action Report AND ANY Root cause analysis with Recommendations for Remedial Measures AS A Result of this investigation.



**This document is not a final report.** The information gathered at this inspection and any probable violations noted will be reviewed prior to finalizing the report. Probable violation(s) may be removed or others may be added during this review. In addition, quality control items may be revised to become probable violations during this review.

Upon determination that a probable violation exists, the Associate Administrator for Hazardous Materials Safety is authorized to impose certain sanctions, including warning letters, tickets, compliance orders, and civil penalties. In addition, court actions, including injunctive or criminal proceedings, may be initiated. Title 49 U.S.C. Sections 5123 and 5124 provide for civil and criminal penalties for violation of the Hazardous Materials Regulations.

A civil penalty of not more than \$75,000, but not less than \$450 when related to training, per violation may be imposed through administrative proceedings initiated by the Office of Chief Counsel of the Pipeline and Hazardous Materials Safety Administration. In addition, if a violation results in death, serious illness, or severe injury to any person or substantial destruction of property, the agency may increase the amount of the civil penalty for each violation to not more than \$175,000. When a criminal violation has been determined by a court, a fine up to \$250,000 for an individual and up to \$500,000 for a company, imprisonment for not more than 5 years, or both, may be imposed for each violation. The maximum amount of imprisonment shall be 10 years in any case in which the violation involves the release of a hazardous material that results in death or bodily injury to any person.

The investigator does not determine which sanction, if any, may be imposed and cannot provide information concerning what proceedings will be initiated or sanctions imposed.



**Documentation of corrective action submitted in writing to the investigator within 30 days of the inspection may be considered for mitigation should the sanction imposed result in the issuance of a notice proposing a civil penalty. However, any documented corrective action would not eliminate or preclude the initiation of a civil penalty proceeding, a finding of violation, or assessment of a civil penalty.**

*bob.burris @ dot.gov*

Our objective is to ensure a fair regulatory enforcement environment. If you feel you have been treated unfairly or unprofessionally, you may contact William Schoonover at 202-366-4700, or e-mail us your concern at [HM-Enforcement@dot.gov](mailto:HM-Enforcement@dot.gov). You also have a right to contact the Small Business Administration's National Ombudsman at 1-888-REGFAIR, or [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman) regarding the fairness of the compliance and enforcement activities by this agency. The Pipeline and Hazardous Materials Safety Administration strictly forbids retaliatory acts by its employees. As such, you should feel confident that you will not be penalized for expressing your concerns about compliance and enforcement activities.

I certify that I received the above briefing as it appears on this form. I understand that by signing this form I am in no way expressing agreement with its contents. I am only acknowledging that I have reviewed it and have received a copy.

*[Handwritten Signature]*

Signature of Investigator(s)

Date: 01/21/2015

\* *[Handwritten Signature]*

Signature of Representative(s)

\* Date: 01/21/2015