

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 11-10142

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT APRIL 23, 2012 JOHN LEY CLERK

Agency No. PHMSA-2008-0350

AIR SEA CONTAINERS, INC.,

Petitioner,

versus

U.S. DEPARTMENT OF TRANSPORTATION,
PIPELINE SAFETY AND HAZARDOUS
MATERIALS SAFETY ADMINISTRATION,

Respondent.

Petition for Review of a Decision of the
Department of Transportation

(April 23, 2012)

Before HULL and FAY, Circuit Judges, and WALTER,* District Judge.

PER CURIAM:

Air Sea Containers, Inc. (“Air Sea”) petitions for review of the Pipeline and Hazardous Materials Safety Administration’s final determination imposing fines totaling \$33,170.00 for four violations of the federal Hazardous Materials Regulations issued by the Secretary of the U.S. Department of Transportation. See 49 C.F.R. Parts 171 to 180. After review of the record and with the benefit of oral argument, we conclude that substantial evidence supports each of the four violations for which Air Sea was fined. We further conclude that the administrative law judge (“ALJ”) did not abuse his discretion by denying Air Sea’s motion to extend the time to file a post-hearing brief after the pertinent deadline imposed by the ALJ. Accordingly, we deny the petition for review.

PETITION DENIED.

*Honorable Donald E. Walter, United States District Judge for the Western District of Louisiana, sitting by designation.