U.S. Department
of Transportation
**Research and
Special Programs
Administration**

JUL 23 1998

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 9323
(FIRST REVISION)

EXPIRATION DATE: JUNE 30, 2000

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: U.S. Department of Defense
Washington, DC

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation only by the U.S. Department of Defense of gasoline and JP-4 and JP-5 fuel, classed as Class 3, in non-DOT specification collapsible, fabric reinforced rubber drums of 500-gallon capacity. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.150, 173.242 and 173.243.

5. BASIS: This exemption is based on the application of U.S. Department of Defense dated March 20, 1998 submitted in accordance with 49 CFR 107.109 and a supplemental letter dated July 13, 1998.

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6. HAZARDOUS MATERIALS (49 CFR 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Gasoline	3	UN1203	II
Fuel, aviation, turbine engine	3	UN1863	I

7. SAFETY CONTROL MEASURES. Packaging prescribed is non-DOT specification collapsible, fabric reinforced rubber drum of 500-gallon capacity. Drum is as pictured and as detailed in engineering drawings included as attachments to petitioner application. Specifications for Tie-Down Assembly; Drum; Parts; and Quality Assurance; are also included in respective attachments to application. Drum, closed as for shipment, must be capable of satisfactorily withstanding performance tests prescribed in application (e.g., three free-fall drops from height of 12 feet; Towed as a wheel - "rolling" - for 10 miles; and Deceleration of 8-g's).

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. Section 5101 et seq:

    - All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

    - Registration required by 49 CFR 107.601 et seq., when applicable.

    Each "Hazmat employee", as defined in 49 CFR 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by 49 CFR 172.700 through 172.704.

    No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

Ann Mazzulla 7/23/98

for Alan I. Roberts (DATE)
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.