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

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

JUN 23 1999

DOT-E 12271
(FIRST REVISION)

EXPIRATION DATE: August 23, 1999

1. GRANTEE: Freeman Gas & Electric, Inc.
Spartanburg, SC

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of Propane in certain MC-331 cargo tanks that were not certified by a Design Certifying Engineer. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 178.337-18 in that a Design Certifying Engineer did not certify the design type of the tanks covered under this exemption, and the marking requirements in § 172.203(a) and § 172.302(c).

5. BASIS: This emergency exemption is based on a recommendation of the Federal Highway Administration and the application of Freeman Gas & Electric, Inc., dated May 6, 1999, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss. An additional letter dated May 18, 1999 was also submitted.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper shipping name -- Hazardous materials description	Hazard Class/ Division	Identi-fication Number	Packing Group
Propane	2.1	UN1978	N/A

7. PACKAGING: Authorized packagings are sixteen (16) MC-331 cargo tanks owned and operated by Freeman Gas & Electric, Inc., meeting the following information:

SERIAL NUMBER	TRUCK NUMBER	TANK CAPACITY (gal.)
120875	22	2800
119429	88	2800
127611	56	2800
116403	21	2800
120874	33	2800
117416	61	2800
118089	20	2800
117417	6	2800
118090	70	2800
119856	91	2800
118259	9	2500
AA9385	8	2400
6223	44	2400
118926	35	2500
127612	51	2800
119786	92	2800

8. SPECIAL PROVISIONS:

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

b. MARKING - The marking requirements of § 172.203(a) and § 172.302(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo tank motor vehicle 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. 5101 et seq:

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

    - Registration required by § 107.601 et seq., when applicable.

    Each "Hazmat employee", as defined in § 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 §§ 172.700 through 172.704.

    No person may use or apply this exemption, including display of its number, when this 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. (Sections 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.:

JUN 23 1999

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590.
Attention: DHM-31.

JUN 23 1999

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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