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U.S. Department
of Transportation

Research and
Special Programs
Administration

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

DOT-E 9288
(CORRECTED COPY)

1. Joseph Land Intermodal, Inc., Orlando, Florida, is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to offer packages prescribed herein of a flammable gas for transportation in commerce subject to the limitations and special requirements specified herein. This exemption authorizes the controlled release of ethylene, contained in DOT specification cylinders, into a transport vehicle for the purpose of ripening fruits and vegetables, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on Joseph Land Intermodal, Inc.'s application dated July 12, 1984, and additional information dated July 20, 1984, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Ethylene classed as a flammable gas.

4. PROPER SHIPPING NAME (49 CFR 172.101). Ethylene.

5. REGULATION AFFECTED. 49 CFR Part 107, Appendix B, 173.24(a)(1), 174.3, 176.3, 177.809, 177.817.

6. MODE OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight.

7. SAFETY CONTROL MEASURES. Packaging prescribed is a Nature-Ripe-System consisting of one DOT Specification 3A, 3AA, or 3AL cylinder containing ethylene and an applicator kit to disperse ethylene into the cargo carrying compartment of a trailer. The Nature-Ripe-System must be designed and constructed in accordance with Utility Trailer Manufacturing Company drawings nos. VRX-12880, dated June 3, 1984, and VRX-12921, dated July 25, 1984, or file with the Office of Hazardous Materials Regulation (OHMR).

a. An air circulation system must be in operation to produce a constant and controlled flow of outside air through the cargo carrying compartment. The rate of flow must be sufficient to effect a complete change of compartment air every six hours.

b. Each cylinder must be fitted with an AIRCO Model 2000 fixed regulator.

c. The Nature-Ripe-System must limit the concentration of ethylene in the compartment to a maximum of 500 ppm.

8. SPECIAL PROVISIONS.

a. Persons who receive packages covered by this exemption may reship them pursuant to the provisions of 49 CFR 173.22a.

b. "DOT E-9288" must be conspicuously displayed on or near the door of each compartment equipped with cylinders containing ethylene.

c. Each cylinder must be filled in accordance with the provisions contained in 49 CFR 173.304 and may not contain more than 11 pounds of ethylene.

d. The requirements of Part 172, Subparts C, D, E and F are waived except for the marking and labeling of the gas cylinder.

e. The Nature-Ripe-System must be inspected for compliance with paragraph 7c above at the start of each trip and upon completion of the trip.

9. REPORTING REQUIREMENTS. Any release of ethylene into the trailer exceeding 100 ppm per hour or any accident involving trailers utilizing the Nature-Ripe-System must be reported to the Office of Hazardous Materials Regulation as soon as practicable.

10. EXPIRATION DATE. August 1, 1986.

Issued at Washington, D.C.

2 5 SEP 1984
(DATE)

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Address all inquiries to: Associate Director for Hazardous Materials Regulation, Materials Transportation Bureau, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Branch.

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