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

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

JUN 24 1996

DOT-E 9741
(SECOND REVISION)

EXPIRATION DATE: May 31, 1998 See Appendix A for PTE Expiration date(s)

(FOR RENEWAL, SEE 49 CFR SECTION 107.105)

1. GRANTEE: Moura Batteries Company, Inc.
Edison, New Jersey

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of a shipment of batteries palletized and shipped as a unit without means of protection from any superimposed weight. 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 173.159.

5. BASIS: This exemption is based on the application of Moura Batteries Company dated March 26, 1996, submitted in accordance with 49 CFR 107.105.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Battery, Electric Storage, Wet, Filled with acid.	8	UN2794	III

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7. PACKAGING AND SAFETY CONTROL MEASURES:

a. Packaging prescribed is:

1. The batteries must be placed on a wooden pallet;

2. Fiberboard or polystyrene must be placed between each layer of batteries sufficient enough to prevent puncture of one battery by the terminal of another battery;

3. The height of the loaded pallet may be no more than 1 1/2 times the width of the pallet;

4. The batteries must be secured to the pallet by plastic film and straps. Methods used to secure the batteries may not damage them;

5. The pallets must be securely placed on or in a transport vehicle or in a shipping container in one single layer in a manner that will prevent movement during transportation.

6. Batteries packaged as described above are excepted from superimposed weight limits as required in 49 CFR 173.260(a)(3).

8. SPECIAL PROVISIONS:

a. Persons who receive the packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS:

A copy of this exemption must be carried aboard each cargo vessel, or 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.

    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 incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

J. Suzanne Hedgepeth 6/24/96

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.

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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APPENDIX A

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with 49 CFR 107.107 and the public proceeding thereon or 107.109, as appropriate:

Company Name City/State	Application Date	PTE	Expiration Date	Issue Date
Batteries Recovery Services, Inc. Medley, Florida	3/26/96	1	5/31/98	6/24/96
Overseas Trading Co., Inc. Medley, Florida	3/26/96	2	5/31/98	6/24/96
Celtic Trading Co., Inc., Medley, Florida	3/26/96	3	5/31/98	6/24/96
International Trade Partners, Inc. Medley, Florida	Emergency App 6/24/96	4	5/31/98	8/16/96
Lockheed Martin Idaho Technologies Company Idaho Falls, ID	6/24/96	5	5/31/98	8/16/96
Heritage Transport, Inc. Indianapolis, IN	1/8/97	6	5/31/98	5/9/97
Clark Environmental, Inc., Ft Pierce, FL	5/12/97	7	5/31/98	7/24/97

for Ann Mazzullo
Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety