MAR 18 1998

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

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

DOT-E 11522
(FIRST REVISION)

EXPIRATION DATE: **February 29, 2000**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109.)

1. GRANTEE: The American Waterways Operators member companies identified below that operate in Puget Sound and in service to/from Alaska:

Alaska Marine Lines	Alaska Outport Transportation Co.
Boyer Towing Inc.	Crowley Marine Services, Inc.
Foss Maritime Company	Jore Marine Services, Inc.
Northland Services, Inc.	Samson Tug & Barge

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of motor vehicles with fuel in tanks and batteries connected, in closed freight containers, on unmanned deck cargo barges. 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 Part 176.905(k).

   The grantee is exempted from the requirement that the battery cables of a motor vehicle with fuel in its tank be disconnected and secured away from the battery terminals when in a closed freight container on board a vessel.

5. BASIS. This exemption is based on The American Waterways Operators Pacific Regional Office's application dated February 27, 1998, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Vehicles, Self-Propelled/Engines, internal combustion	9	UN3166	N/A

7. PACKAGING AND/OR SAFETY CONTROL MEASURES:

a. Prior to loading into a freight container for transport by unmanned deck cargo barge, each vehicle powered by an internal combustion engine must be inspected by the person responsible for loading the container to ensure that:

1. there are no fuel leaks in any portion of the fuel system;

2. battery cables are securely connected to batteries and there are no other identifiable faults in the electrical system that could result in short circuit or other unintended electrical source of ignition.

b. A vehicle's ignition key may not be in the ignition while the vehicle is in a freight container.

c. A vehicle powered by an internal combustion engine which has a fuel tank containing compressed gas or liquefied gas of Class 2.1 may not be transported under the terms of this exemption.

8. SPECIAL PROVISIONS. 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.

9. MODES OF TRANSPORTATION AUTHORIZED. Cargo vessel (Unmanned deck cargo barge only).

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10. MODAL REQUIREMENTS:

a. A copy of this exemption must be carried aboard each tug or towing vessel used to transport by barge the packages covered by this exemption.

b. The shipments authorized under this exemption may be transported only on unmanned deck cargo barges operated in and between waters of Puget Sound and Alaska.

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

Issued at Washington, D.C.:

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

3/18/98
(DATE)

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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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