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

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

MAY 24 2002

DOT-E 12885
(SECOND REVISION)

EXPIRATION DATE: February 29, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: U.S. Department of Agriculture, Forest Service and persons conducting operations under the direction of government officials from USDA and their designees.

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of gasoline in a non-DOT specification steel drum with a pump installed mounted in a helitorch frame. This exemption provides no relief from the Hazardous Materials Regulations (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.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.202(c) in that a non-specification steel drum is not authorized, except as specified herein.

5. BASIS: This exemption is based on the applications of U.S. Department of Agriculture, Forest Service dated January 7, 2002, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Gasoline	3	UN1203	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Packaging prescribed is a 55 gallon non-DOT specification steel drum with dry break fittings, sight windows, relief valves, a Kam-lock fitting with cap and a pump installed in lieu of a bung closures. The drum and attached pump must be securely mounted in a helitorch frame. Helitorches may be either a Simplex 5400 with a Fire Spec or Firecon retrofit kit or a Fire Spec helitorch.

(2) Each drum must meet the performance requirements for UN1A2 steel drums for PG II liquids (see § 178.504 and §§ 178.601-608) prior to installation of the items listed in paragraph (1) above. If the drums are marked UN1A2 prior to installation of the dry break fittings and fuel transfer pump, the marking must be obliterated or covered prior to use.

b. OPERATIONAL CONTROLS -

(1) The fuel transfer pump must be disconnected from its power source during transportation.

(2) The helitorch frame may not be towed behind a motor vehicle.

(3) No more than two helitorch frames may be transported on one vehicle.

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.

c. The helitorch frame must be plainly and durably marked "DOT-E 12885" as required by § 172.301(c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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. 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 in Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY 24 2002
(DATE)

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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemption Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DBurger/AM