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

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

JUN 2 2003

DOT-E 13143
(SECOND REVISION)

EXPIRATION DATE: January 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: GS Battery (USA), Inc.
City of Industry, CA

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of battery fluid in a non-DOT specification fiberboard box placed in a strong, tight fiberboard overpack. 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: The marking requirement specified in § 172.301(c); and §§ 172.102(c)(5), Special Provision N6, and 173.159(g) and (h) in that a non-DOT specification outer package is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of GS Battery (USA) dated January 17, 2003, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Battery fluid, acid	8	UN2796	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is as follows:

(1) A non-DOT specification fiberboard box as described in Wyle Laboratories Test Report 45650+AL0141 on file with the Office of Hazardous Materials Exemptions and Approvals.

(2) Each non-DOT specification fiberboard box is placed in a strong, tight fiberboard overpack with: minimum dimensions of 10"x8"x7" and maximum dimensions of 18"x15"x11"; a minimum burst strength of 200 lbs per square inch; a combined weight of the facings of 84 lbs per square inch; and a gross weight limit of 65 lbs. A maximum of 10 batteries may be placed in each overpack.

(3) Overpacks are placed onto wooden pallets and are securely shrink wrapped to the pallet.

(4) This exemption only authorizes those boxes, identified above, in GS Battery's inventory on October 18, 2002.

b. OPERATIONAL CONTROLS -

(1) The inner packages must have the UN specification markings obliterated prior to placing the packages into an overpack.

(2) The overpacks may only be transported in a palletized configuration.

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. MARKING -

(1) Each palletized load must be plainly and durably marked on all four sides with "DOT-E 13143" in letters at least 2 inches in height on a contrasting background.

(2) The marking requirement specified in § 172.301(c) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight only.

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.:

JUN 2 2003

Robert A. McGuire
for 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.

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

PO: DBurger