U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

FEB 1 1 2005

Mr. Todd Schaubach
President
American Transportation Systems
508 East Indian River Road
Norfolk, VA 23523

Dear Mr. Schaubach:

Your application for exemption (14136-N) dated January 3, 2005, is returned herewith because it failed to meet the requirements of 49 CFR 107.105 for the following reason:

- An exemption is unnecessary. You state that the RMW is packaged in plastic bags, further packed in fiberboard boxes. You then wish to consolidate the shipment in a bulk size container. As provided by 49 CFR 173.134(c), this packaging configuration is authorized when transported by private or contract carrier.

If you have any questions, please do not hesitate to contact Diane LaValle at (202) 366-4535.

Sincerely,

R. Burn

Delmer F. Billings
Director
Office of Hazardous Materials
Exemptions and Approvals

Enclosure