DEC 12 1996

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

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

DOT-E 11304
(FIRST REVISION)

EXPIRATION DATE: November 30, 1998

(FOR RENEWAL, SEE 49 CFR SECTION 107.109.)

1. GRANTEE: AT&T, Basking Ridge, New Jersey

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of gasoline in UN standard packagings with a capacity not greater than 5 gallons which have not been leak tested prior to reuse in accordance with 49 CFR 173.28(b)(2). This exemption provides no relief from any regulation other than as specifically stated herein. All of the following section citations relate to Title 49 Code of Federal Regulations.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Part 107, Appendix B Subpart B, Paragraph (2); Sections 172.301 (c); 173.28 (b)(2).

5. BASIS. This exemption is based on AT&T's application dated December 10, 1996, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	Identification number	Packing Group
Gasoline	Class 3	UN 1203	II

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a UN standard packaging, authorized in 49 CFR Part 173 for the transportation of gasoline, which has a maximum capacity of 5 gallons. The packaging must be marked in a permanent manner in millimeters with the thickness of the packaging material, and conform with the minimum thickness criteria of § 173.28(b)(4). Each packaging must meet all requirements of § 173.28 for reuse except for the leak test required by § 173.28(b)(2). A packaging which, upon inspection, shows evidence of a reduction in integrity must be reconditioned and leak tested prior to reuse.

b. TESTING - Packaging must be tested in accordance with 49 CFR Subpart M of Part 178, at the Packing Group II level for liquids.

c. MARKING - The requirements of 49 CFR Section 172.301 (c) and Appendix B, Subpart B of 49 CFR Part 107, in regard to marking an exemption number on a package, does not apply to this exemption.

d. Packages may only be transported in AT&T's vehicles by drivers who have been trained in the hazards of the materials involved and trained to assess the suitability of the packagings for reuse.

e. Not more than two five gallon capacity containers of gasoline may be transported on a vehicle under the terms of this exemption.

8. SPECIAL PROVISIONS. AT&T 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.

10. MODAL REQUIREMENTS: A 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 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.

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 Marilyn J. Morris December 12, 1996

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.

Dist: FHWA