U.S. Department
of Transportation

**Research and
Special Programs
Administration**

NOV 20 1998

400 Seventh Street S.W.
Washington, D.C. [illegible]

DOT-E 11982

EXPIRATION DATE: September 30, 2000

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Webasto Thermosystems Inc.
Madison Heights, MI

2. PURPOSE AND LIMITATIONS:

a. This exemption authorizes the manufacture, marking, sale and use of temperature controlled equipment (Webasto HL 90 Air Heater System) for use in motor vehicles engaged in the transportation in commerce of the materials authorized by this exemption. This exemption provides no relief from any Hazardous Materials Regulation (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 172.203(a) marking of exemption numbers on shipping papers, and 177.834(l)(2)(i) in that the maximum surface temperature of the heater may exceed 54°C.

5. BASIS: This exemption is based on the application of Webasto Thermosystems Inc. dated November 8, 1997, submitted in accordance with 49 CFR 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identification Number	Packing Group
Specific or generic name, as appropriate	3	as appropriate	as appro-priate
Specific or generic name, as appropriate	2.1	as appropriate	n/a

For N.O.S. entries, the requirements of 49 CFR 172.203(k) must be met.

7. SAFETY CONTROL MEASURES: Conditions under which shipments may be made:

a. Materials in the classes identified above, packaged as required by the HMR, may be shipped by highway vehicles equipped with diesel-operated heating equipment described in Webasto's application dated November 8, 1997. Any electrical equipment in the lading space must be of non-sparking or explosion proof type. There must be no combustion equipment in the lading space, and no arrangement for return of air from the lading space to any combustion equipment. The heating system (including a required thermostatically controlled blower and radiator) must be such that no part of the lading will be heated to over 130°F. and must conform to 49 CFR 393.77.

b. The heating units and the component parts must be as shown in Air Heater HL 90 Operating Instructions, Form #907.879 10-97 and the drawings submitted in the November 8, 1997 application, which are on file in the Office of Exemptions and Approvals (OHMEA). Each heater unit and its fuel supply must be externally mounted on the truck or trailer, must retain combustion in a sealed combustion chamber, must utilize outside air for combustion (air from the cargo space cannot be used for combustion) and gases from combustion must be exhausted to the outside of truck or trailer.

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8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of 49 CFR 173.22a, persons may use the temperature controlled equipment authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but receives a motor vehicle equipped with the Air Heater HL 90 system covered by this exemption, may reoffer it for transportation provided no modifications or changes are made to the system and it is offered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each Air Heater HL 90 System manufactured under the authority of this exemption must be marked with the Webasto 6-digit product code, the location of manufacture, and the date of manufacture in addition to the sequential unit number. This information will be on a metal tag attached to the unit with a decal marked with DOT-E 11982 and WEBASTO THERMOSYSTEMS, MADISON HEIGHTS, MI.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

f. The marking requirement of 49 CFR 172.203(a) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each motor vehicle equipped with the Air Heater HL 90 System when transporting the above classed hazardous materials under the provisions of 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. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.

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Alan I. Roberts
Associate Administrator for
Hazardous Materials Safety

(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.

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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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