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

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

MAY 2 2 2003

DOT-E 13240

EXPIRATION DATE: June 30, 2003

1. GRANTEE: ATC Association, Inc.
Indianapolis, IN

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of certain gas samples in non-DOT Specification hermetically sealed metal containers not exceeding 6-liter capacity. 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 § 173.306(a)(4)(iii) in that a 6-liter non-specification metal container is not authorized, except as provided herein.

5. BASIS: This emergency exemption is based on the application of ATC Associates, Inc. dated May 16, 2003, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	**Hazard Class/Division**	**Identification Number**	**Packing Group**
Gas samples, non-pressurized, flammable, n.o.s. *not refrigerated liquid*	2.1	UN3167	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a non-DOT specification, hermetically sealed metal inner packaging of not more than 6 liter capacity, further overpacked in a strong outer packaging. Pressure in the container must meet the conditions specified in § 173.306(a)(4)(i).

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. Each inner and outer packaging must be plainly and durably marked "DOT-E 13240" as specified in § 172.301(c).

d. Transportation is only authorized from Indianapolis, IN to Colchester, VT.

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 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. (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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

MAY 2 2 2003

(DATE)

Robert A. McGuire
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.

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.
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