U.S. Department
of Transportation

**Research and
Special Programs
Administration**

APR 16 1998

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

DOT-E 12023

EXPIRATION DATE: July 1, 1999

*(FOR RENEWAL, SEE 49 CFR SECTION 107.109)*

1. GRANTEE: Apollo Industries
N. Clarendon, VT

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of liquefied petroleum gas (LPG) in certain DOT Specification MC 330 or MC 331 cargo tank motor vehicles fitted with delivery hose systems as described in paragraph 7. below. This exemption provides no relief from any regulation other than as specifically stated herein.

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

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 171.5(a)(1)(iii)(C)(1) in that an off-vehicle remote-control system other than a radio transmitter provides the means for closure of the internal self-closing stop valve.

5. BASIS: This exemption is based on the application of Apollo Industries dated December 22, 1997, submitted in accordance with 49 CFR 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 |
|---|---|---|---|
| Petroleum gases, liquefied | 2.1 | UN 1075 | N/A |
| | | | |

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING -Packaging authorized is a small DOT Specification MC 330 or MC 331 cargo motor vehicle used for local deliveries (bobtails) when equipped with Apollo LP Safety Hose as described in Apollo's application for exemption dated December 22, 1997. The Safety Hose is a hose-within-a-hose.

8. SPECIAL PROVISIONS:

a. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

b. No transportation under this exemption is authorized until a comprehensive test program has been designed for delivery systems using this hose; this testing has been successfully completed on MC 330 and MC 331 cargo tank motor vehicles; and documentation has been provided to the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A copy of this exemption must be carried aboard each cargo tank 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. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR 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 and 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 of this exemption must inform the AAHMS, in writing, of any incident involving failures of the hose delivery system on shipments made under the terms of this exemption.

Issued at Washington, D.C.:

APR 16 1998
(DATE)

Alan I. Roberts
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.

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