MAY 2 2 2003

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

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

DOT-E 13241

EXPIRATION DATE: May 31, 2003

1. GRANTEE: AmeriGas, Inc.
Vineyard Haven, Massachusetts

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time one-way transportation in commerce of propane in a non-DOT specification cylinder by motor vehicle for approximately two miles. 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 § 173.304a(a)(1) and (a)(2) in that the use of a non-DOT specification cylinder is not authorized, except as specified herein.

5. BASIS: This emergency exemption is based on the application of AmeriGas, Inc. dated May 22, 2003 submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---|---|---|---|
| **Proper shipping name** | **Hazard Class/ Division** | **Identification Number** | **Packing Group** |
| Propane | 2.1 | UN1978 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is an ASME code, "U" stamped, (non-DOT specification) 1,000 gallon water capacity, storage tank pressure vessel, manufactured in

1997 bearing serial number 13562. The pressure vessel is mounted horizontally on four legs.

b. OPERATIONAL CONTROLS -

1) The pressure vessel, located on Martha's Vineyard, MA, must be transported by private motor vehicle.

2) The pressure vessel must be securely blocked and braced to the motor vehicle in accordance with §§ 393.100 - 393.106.

8. SPECIAL PROVISIONS:

a. The pressure vessel described in this exemption is only authorized for a one-time one-way movement of approximately two miles without intermediate stops or pick-ups.

b. MARKING - The marking requirement of § 172.302(c) is waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard the motor vehicle used to transport the cylinder 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 this 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 incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

MAY 2 2 2003

Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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.

PO:RP