



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUN 7 2004

DOT-E 9387
(FIFTH REVISION)

EXPIRATION DATE: April 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Cessco, Inc.
Johns Island, SC
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of certain Division 2.3 materials in concentrations and quantities greater than currently authorized in the regulations. 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 § 173.334 in that the packaging is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Cessco, Inc., dated March 17, 2004 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Organic phosphate, mixed with compressed gas or Organic phosphate compound, mixed with compressed gas or Organic phosphorus compound, mixed with compressed gas	2.3	NA1955	N/A

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Prescribed packaging is a DOT Specification 3B 300 cylinder lined with a material which is impervious to the lading.
- b. The maximum concentration of DDVP authorized in any mixture shipped under this exemption is 40% by weight, and no cylinder may contain more than 30 pounds of DDVP-gas mixture. The total pressure in any cylinder may not exceed 140 psig at 130°F.
- c. The maximum filling density may not exceed 80% of the water capacity of the cylinder.
- d. Each cylinder must be charged in accordance with § 173.301a(c) and (d).
- e. No cylinder may be equipped with an eduction tube or fusible plug.
- f. Each cylinder must be equipped with a strong metal threaded cap which adequately protects the valve from damage.
- g. The cylinders must be packaged in wooden boxes or secured to pallets, or by other equivalent means, so that the cylinders are protected from contact with other cargo and any part of the vehicle other than a securement system installed in the vehicle.

h. Each cylinder must be re-qualified in accordance with § 180.205(a). In addition, each cylinder must be inspected at least annually in accordance with CGA Pamphlet C-6.

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 modification or change is made to the package or its contents 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.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

b. Drivers must have been instructed as to necessary safeguards and proper procedure in the event of unusual delay, fire or accident.

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:

o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

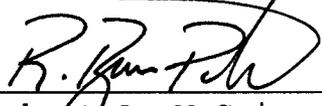
o Registration required by § 107.601 et seq., when applicable.

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

Issued in Washington, D.C.:



fr Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

JUN 7 2004

(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.

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: sdc