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

DOT-E 11078
(FIFTH REVISION)

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

JUL 28 2003

EXPIRATION DATE: June 30, 2005

1. GRANTEE: Aviall Services, Inc. (d/b/a Aviall)
(Former Grantee: Aviall, Inc.)
Dallas/Ft. Worth Airport, TX

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain nickel-cadmium batteries each containing no more than 10 ml of liquid potassium hydroxide, a Class 8 material, as not subject to the Hazardous Materials Regulations (HMR) when shipped in accordance with the provisions of this exemption.

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 Subchapter C except as prescribed in this exemption.

5. BASIS. This exemption is based on Aviall, Inc.'s application dated June 23, 2003, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---|---|---|---|
| **Proper Shipping Name** | **Hazard Class/ Division** | **Identi-fication Number** | **Packing Group** |
| Batteries, wet, filled with alkali, *electric storage* | 8 | UN2795 | III |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Each battery must contain less than 10 ml of free-flowing potassium hydroxide solution. The batteries must be sealed in heat sealed bags, and packaged to prevent short circuits in the center of the outer plastic drum with a foam-in-place packaging material. The outer plastic drum must be a 1H2 which meets Packing Group II performance standards. The gross weight of the package may not exceed 15.2 kg (33.4 pounds), and the cumulative amount of potassium hydroxide solution in all of the batteries in each package may not exceed 4 ounces (0.11 kg).

b. MARKING - The outer package must be marked "DOT-E 11078".

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 change 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.

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, cargo vessel, cargo aircraft and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.

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.:

for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

JUL 28 2003
(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: sln

JUL 28 2003

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

| Company Name City/State | Application Date | Issue Date | Expiration Date |
|---|---|---|---|
| Battery Shop LLC Mt. Juliet, TN | 7/15/2003 | JUL 28 2003 | 6/30/2005 |

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety