



U.S. Department
of Transportation

Research and
Special Programs
Administration

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

MAR 24 2004

DOT-E 13246
SECOND REVISION

EXPIRATION DATE: October 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: McLane Company, Inc.
Temple, 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 cigarette lighters in certain non-DOT specification outer packagings. 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 § 172.102(c)(4) Special Provision N10 in that a non-specification outer packaging is not authorized and the approval number is required to be marked on the outer package and the shipping paper, except as provided herein.

5. BASIS: This exemption is based on the application of McLane Company, Inc. dated January 7, 2004, submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Lighters cigarettes, containing flammable gas	2.1	UN1057	N/A

7. SAFETY CONTROL MEASURE:

a. PACKAGING - Prescribed packaging system having an inner and outer packaging is as follows:

(1) Outer packagings are reusable, injection molded, high density polyethylene containers manufactured by:

(i) Buckhorn, model numbers: AR20120702, AR21150902, AR21151202, AR27171202 and AR24201202;

(ii) IPL Products, product code: 60287, 60298 and 62650;

(iii) Monoflo International Inc. model numbers: DC2717-12, DC2213-12, DC2115-12, DC2420-12 and DC2115-09.

(2) Each outer packaging must meet the performance criteria for packing group II but need not be marked and certified to a UN standard.

(3) Inner packagings consist of various designs of cigarette lighters and their inner packagings approved by the Associate Administrator for Hazardous Materials Safety.

b. OPERATIONAL CONTROLS - No more than 300 inner packagings may be shipped in any outer packaging with a total of no more than 1500 lighters on a vehicle.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

b. Each outer container must be plainly and durably marked "DOT-E 13246" as specified § 172.301(c).

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. Transportation is limited to private carriage.

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:

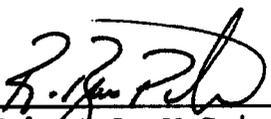
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required 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 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.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAR 24 2004

(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: DBurger:dl

APR 16 2004

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
Heritage's Wholesale, Inc. Thorofare, NJ	Aug 14, 2003	Nov 26, 2003	Oct 31, 2005
H.T. Hackney Co. Knoxville, TN	Mar 31, 2004	APR 16 2004	Oct 31, 2005
L.J. Zucca, Inc. Vineland, NJ	Oct 14, 2003	Mar 01, 2004	Oct 31, 2005


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(DATE)

fe Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety