U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JAN 1 3 2005

DOT-E 13876

EXPIRATION DATE: November 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: City of Kotzebue
Kotzebue, AK

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of the batteries described in paragraph 6 below for disposal or remanufacture, in non-DOT specification packagings exceeding the gross weight limitations, by cargo aircraft only within the State of Alaska. 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 § 173.159(c)(1) in that non-DOT specification packaging is not authorized for transportation by air, except as specified herein.

5. BASIS: This exemption is based on the application of the City of Kotzebue dated August 30, 2004, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101): JAN 1 3 2005

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Batteries, wet, filled with acid, *electric charge*	8	UN2794	III
Batteries, wet, filled with alkali, *electric charge*	8	UN2795	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING: The electric storage batteries are placed in non-DOT specification, high density polyethylene, leak-proof boxes that will contain up to two layers of large (up to 125 lbs.) wet storage batteries.

b. The electric storage batteries must be protected against short circuits and banded between sheets of plywood. The high density polyethylene, leak-proof box must be capable of withstanding the shock normally incident to transportation. No more than 1,800 pounds may be placed in a single box. The box must be capable of withstanding, without damage, a superimposed weight equal to twice its own weight (including the batteries). Battery terminals may not be relied upon to support any part of the superimposed weight.

c. The outside of each high density polyethylene, leak-proof box authorized under this exemption must be plainly and durably marked "DOT-E 13876".

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.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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.
- 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.
- 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

JAN 13 2005
(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.

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