MAR 2 2000

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

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

DOT-E 11783
(FIRST REVISION)

EXPIRATION DATE: December 31, 2000

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: People's Natural Gas
Rosemont, MN

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the one-time, one-way transportation in commerce of two non-DOT specification steel portable tanks containing a Class 3 material (gas odorant). This exemption provides no relief from any Hazardous Materials Regulation (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 § 173.242(c) in that a non-DOT specification portable tank is authorized.

5. BASIS: This exemption is based on the application of People's Natural Gas dated January 10, 2000, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class	Identi-fication Number	Packing Group
Flammable liquid, n.o.s. (contains tert-butyl mercaptan and methyl ethyl sulfide)	3	UN1993	II

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are two, skid-mounted, non-DOT specification steel portable tanks, designed and constructed in accordance with the ASME Code, including the ASME Code "U" stamp. Manufacturer's serial numbers are 253915 and 253918. Each tank has a capacity of 1000 gallons and a design pressure of 250 psig. Tanks are 16'-2" in length and 3'-5" in diameter.

b. OPERATIONAL CONTROLS:

(1) Each portable tank must be less than half-full and contain no more than 3,300 pounds of lading.

(2) People's Natural Gas must perform an external visual examination of each portable tank prior to loading onto the motor vehicle to look for conditions such as corrosion, defects in welds or leakage that might render it unsafe for transportation.

(3) Portable tanks must be secured to the motor vehicle in accordance with §§ 393.100 through 393.106.

(4) After loading onto the motor vehicle, People's Natural Gas must perform an external visual inspection of each portable tank to ensure that it has not been damaged while being secured to the motor vehicle.

8. SPECIAL PROVISIONS:

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

b. One-way, one-time transportation is authorized from a People's Natural Gas facility at Rochester, MN by a motor vehicle owned by People's Natural Gas.

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 portable tanks 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 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 at Washington, D.C.:

Suzanne Hedgspeth

Robert A. McGuire
Acting Associate Administrator for
Hazardous Materials Safety

MAR 2 2000
(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.

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The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

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