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

NOV 14 2002

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

DOT-E 13154

EXPIRATION DATE: **December 31, 2002**

1. GRANTEE: WNV Sales, Inc.
Miami, FL

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time one-way transportation in commerce of three freight containers containing up to 400 UN 4G fiberboard boxes containing up to 500 lighters each, that do not have DOT approval. Transportation is authorized for export only. 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 § 173.21(i) in that lighters are required to be approved except as provided herein, and § 172.301(c) in that the marking requirement is waived.

5. BASIS: This emergency exemption is based on the application of WNV Sales, Inc. dated October 17, 2002, and additional information dated October 24, 2002 submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Lighters	2.1	UN1057	N/A

7. SAFETY CONTROL MEASURES: PACKAGING - Packagings prescribed are approximately 400 UN 4G fiberboard boxes that have been certified to Packing Group II performance level further packed in a freight container.

8. SPECIAL PROVISIONS:

a. The freight containers may only be exported by cargo vessel from Miami, Florida.

b. MARKING: The marking requirement in § 172.301(c) is waived.

c. "DOT-E 13154" must appear on the shipping papers in accordance with § 172.203(a).

d. The approval requirements of § 173.21(i) are waived.

e. The freight container must be stowed "on deck" on the cargo vessel.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard the cargo vessel used to transport packages covered by this exemption.

b. The U.S. Coast Guard Captain of the Port must be notified in writing within 72 hours prior to shipment, of the details describing the shipment contained in this exemption including the terminal and vessel information.

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 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 at Washington, D.C.:

Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

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(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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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: DL