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From the desk of

Virk Legate
Executive Secretary
Department of Transportation



Ron Nessen
The White House

3/30/76

To add to your file on this
subject.

Thanks for your nice letter.

Virk



FEDERAL AVIATION ADMINISTRATION

WASHINGTON

329

Virk-

Per our
Conversation:

Attached is
Richard Eaton exemption
issued by Hayward
materials for your
files.

This should
close out the action.

Dick

R. E. Livingston, Jr., AOA-2





DEPARTMENT OF TRANSPORTATION
MATERIALS TRANSPORTATION BUREAU
WASHINGTON, D.C., 20590
DOT-E 7222

1. Richard Eaton is hereby granted an exemption from those provisions of this Department's Hazardous Materials Regulations specified in paragraph 5 below to offer for transportation in commerce, and carry as carry-on baggage, two electric storage batteries moving in connection with a self-propelled wheel chair. This exemption provides no relief from any regulation other than as specifically stated.
2. BASIS. This exemption is based on Richard Eaton's application of March 4, 1976 pursuant to 49 CFR 107.113 and the severe economic loss that Mr. Eaton would incur from loss of income.
3. HAZARDOUS MATERIALS. Electric storage batteries.
4. PROPER SHIPPING NAME (49 CFR 172.5). Batteries, electric storage, wet.
5. REGULATION AFFECTED. 14 CFR Part 103 and 49 CFR 173.260(d).
6. MODES OF TRANSPORTATION AUTHORIZED. Passenger-carrying aircraft.
7. SAFETY CONTROL MEASURES. Each battery must be of the non-spillable type, protected against short circuits, and completely and securely packed in a strong outside container.
8. SPECIAL PROVISIONS.
 - a. Except as provided herein, the holder of this exemption, and each carrier transporting batteries covered by this exemption, are exempt from the provisions of 14 CFR 103 in the same manner as provided for other materials covered by 14 CFR 103.1(c).
 - b. A copy of this exemption must be carried by Mr. Eaton in connection with the transportation of the batteries under this exemption and must be offered for examination to airline representatives upon request.
9. REPORTING REQUIREMENTS. Any incident involving loss of contents of the package must be reported to the OHMO as soon as practicable.
10. EXPIRATION DATE. March 15, 1977.

Issued at Washington, D.C.:


Alan I. Roberts

3/4/76
(DATE)

Director
Office of Hazardous Materials Operations



Address all inquiries to: Director, Office of Hazardous Materials Operations, U.S. Department of Transportation, Washington, D.C. 20590, Attention: Exemptions Branch.

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