



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

DOT E. 12053

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

MAR 12 1999

Mr. Thomas R. Lenz
Owner, President
Lenz Sales & Dist., Inc.
1300 South Clay
Jacksonville, IL 62650

Ref. No. 98-0337

Dear Mr. Lenz:

This is in further reference to your letter dated November 9, 1998, and my reply dated March 3, 1999, regarding the use of packagings authorized under exemption DOT-E 12053. Specifically, you asked if you are correct in your understanding that Special Provision 8a, of DOT-E 12053 provides for the reofference of the prescribed DOT 2Q containers until June 1, 2000.

The fourth paragraph of my reply was in error. Following is a reprint of my reply with the correction:

Your understanding of Special Provision 8a is correct, with certain clarifications. Firstly, Special Provision 8a provides that persons who receive the packages, which were packaged by the named grantee, may reoffer them for transportation provided: (1) No modifications have been made to the packages; (2) All terms of the exemption and the Hazardous Materials Regulations are complied with; and (3) A current copy of the exemption is maintained at each facility from where the reoffering occurs.

Secondly, although the exemption has an expiration date of June 1, 2000, Special Provision 11 of the exemption specifically states that ofference under the terms of the exemption is no longer authorized when the exemption has expired or is otherwise no longer in effect (emphasis added).

Exemption DOT-E 12053 has been terminated. For further information concerning these packagings, please contact Mr. Ryan Posten, Chief, Exemptions, Research and Special Programs Administration, Office of Hazardous Materials Exemptions and Approvals on (202) 366-4535.

I trust this answers your question. Please do not hesitate to contact us for other inquiries concerning the Hazardous Materials Regulations.

Sincerely,

A handwritten signature in cursive script that reads "Hattie L. Mitchell". The signature is written in dark ink and is positioned below the word "Sincerely,".

Hattie L. Mitchell, Chief
Regulatory Review and Reinvention
Office of Hazardous Materials Standards

To: Mr. Edward Mazzullo
Director of Office of Haz. Materials Standards
Fax #: 202-366-3012

Stevens
DOT E-12053
98-0337

From: Lenz Sales & Dist., Inc.
Thomas R. Lenz
217-243-8103
Fax#: 217-245-1045

Dear Mr. Mazzullo:

On November 1, 1998 I had a conversation with Mike Stephens (Transportation Regulations Specialists / DOT information center) regarding DOT E-12053. On November 2, 1998 Mr. Stephens reassured my company verbally of the interpretation of section 8-a of this exemption. He also stated that our conversation and his interpretation are on record in the DOT information center. My company interprets this section to mean that Lenz Sales and Dist., Inc. can reoffer and ship commercially IIC-12a packaged in 2Q containers until June 1, 2000. My company does not in any way manufacture HC-12a and thus sections 8-c and 8-d do not apply to my company. I am requesting that I receive in writing from your office a varification of this interpretation. Thank you for yor time.

Sincerely,


Thomas R. Lenz
Owner, President



Department Press Release 03-18-98

Vicki O'Neil
(850) 921-8001

CRAWFORD ISSUES SAFETY ALERT ON A/C REFRIGERANTS

TALLAHASSEE -- Florida Agriculture and Consumer Services Commissioner Bob Crawford today reminded consumers that the sale, distribution or use of liquefied petroleum (LP) gas-based automobile air-conditioning refrigerants is illegal in Florida.

"These products contain highly flammable gases that expose both the consumer and automobile service technicians to potential injury," Crawford said.

Crawford noted that cans containing the LP gas-based refrigerant known as HC-12a have been subject to failure under the normal circumstances encountered during their transportation. Failure of these cans can result in serious personal injury, death, and property damage. Testing of these cans by an independent testing laboratory indicated that out of 18 cans, six cans burst, three leaked and seven were distorted. The federal government is investigating manufacturers of similar products to determine whether or not these same safety risks are associated with their products and packages.

Crawford strongly cautioned consumers and businesses against the purchase of any product marketed as a freon replacement without first determining whether or not it is a safe and legal product. Products identified as illegal for sale in Florida include OZ-12 and HC12a (both manufactured by OZ Technologies of Idaho) and Duracool or Duracool 12a (manufactured by Duracool Limited Refrigerants and marketed by Fox Tool and Supply of Tennessee).

"As with any product, an informed decision prior to purchase is the wisest approach," Crawford said. "Persons knowingly selling these products and endangering the public will be dealt with to the fullest extent the law allows."

Under Florida law, consumers must be told what products are being introduced into their automobile air conditioning systems and in what quantities. If you are unsure of a product's contents, get the name of the product and contact the U.S. Environmental Protection Agency Ozone Protection Hotline at 1-800-296-1996 for assistance.

Last year, Crawford's office investigated allegations that four companies were selling illegal refrigerants. In each case, the companies discontinued selling the products after receiving warnings from Crawford's office.

Crawford asked consumers to remember that LP gas-based refrigerants are not only illegal in Florida, but are unsafe for use.

Anyone having these products on hand should ensure that the product containers remain stored in a cool place, and contact the manufacturer or manufacturer's representative to arrange for their removal. If you have information or questions concerning the sale of these products in Florida, please contact the Bureau of LP Gas Inspections in the Department of Agriculture and Consumer Services at (850) 921-8001.

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FLORIDA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES The Capitol • Tallahassee, FL 32399-0800 • (904) 488-3022 Bob Crawford, Commissioner	