U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

MAY 5 2005

DOT-E 14160
(FIRST REVISION)

EXPIRATION DATE: June 30, 2005

1. GRANTEE: George Mason University
Fairfax, VA

2. PURPOSE AND LIMITATION: This emergency exemption authorizes the one-time, one-way transportation in commerce of two ICC 3D480 specification cylinders that contain Dinitrogen tetroxide for draining and decommissioning by motor vehicle. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.40 and 173.192 in that the valve protection requirement is waived; and § 173.336 in that the use of ICC 3D480 specification cylinders is not authorized except as specified herein.

5. BASIS: This emergency exemption is based on the application of Matheson Tri Gas on behalf of George Mason University dated February 24, 2005, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property. Additional information dated April 28, 2005 was submitted by George Mason University.

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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**
Dinitrogen tetroxide	2.3	UN1067	Hazard Zone A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are two (2) ICC 3D480 specification cylinders, which have been rendered obsolete and therefore, are currently not an authorized packaging for Dinitrogen tetroxide.

b. OPERATIONAL CONTROLS -

(1) Prior to transportation, each cylinder must:

(i) be given an external visual examination looking for evidence of dents, cuts, gouges, corroded or abraded areas, leakage, or any condition that might render it unsafe for transportation;

(ii) have all openings securely closed; and

(iii) be overpacked in a UN 1H2 plastic drum which meets the packing group II performance level, then secured in place by the use of foam that will act as cushioning around the cylinder.

(2) The plastic drum must be placed in a containment device for shipment within a motor vehicle.

(3) The one-time, one-way shipment will originate at George Mason University, Fairfax, VA and will be shipped to Onyx Environmental Services, LLC in Flanders, NJ. It will then be transferred and shipped

to SET Environmental, Inc. in Houston, TX. SET Environmental Services will be the final destination and disposal facility.

(4) The cylinders must be transported by a private contract carrier in the service of George Mason University.

(5) The containment device must be securely blocked and braced during highway transportation in conformance with the requirements of §§ 393.100 - 393.106.

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.

b. The UN 1H2 plastic drum and the containment device must be plainly and durably marked "DOT-E 14160" in accordance with § 172.301(c).

c. After draining and decommissioning, each cylinder must be rendered incapable of holding pressure.

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 packages 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.

- 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.

- o 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: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:

MAY 5 2005
DATE

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, D.C. 20590. Attention: PHH-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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