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

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

NOV 5 2003

DOT-E 12468
(SECOND REVISION)

EXPIRATION DATE: June 30, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Connecticut Yankee Atomic Power Company (CYAPC)
East Hampton, CT

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of a reactor pressure vessel classed as low specific activity material, class III (LSA-III), and transported in non-specification packagings under a transport plan from the Connecticut Yankee site in Haddam Neck, CT to the low level radioactive waste burial site in Barnwell, SC. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analysis performed in the 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:

a. 49 CFR § 173.403 *Low Specific Activity (LSA) material* in that the reactor vessel and its internals may be classed as LSA-III when not all portions of the definition for LSA-III are satisfied.

b. 49 CFR § 173.411(a) and 49 CFR § 173.411(b)(2) in that the Reactor Vessel Transport System, may be certified as an IP-2 package when compliance with each listed provision has not been explicitly demonstrated.

c. 49 CFR § Part 173.427(a)(1) in that the dose rate at 3 meters from each unshielded piece of low specific activity material or surface contaminated article in this shipment may exceed 10 mSv/hr (1 rem/hr).

5. BASIS: This exemption is based on CYAPC's March 30, 2000 application which included technical data and a transportation plan, submitted in accordance with § 107.105 and the public proceeding thereon. Subsequent applications from CYAPC, dated June 12, 2002, August 29, 2003, and October 15, 2003 were submitted in accordance with § 107.105.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Radioactive material, transported under special arrangement, *non fissile or fissile excepted*	Class 7	UN2919	N/A

7. SAFETY CONTROL MEASURES: The grantee of this exemption must comply with all provisions of their original application, their updated applications, and this exemption.

8. SPECIAL PROVISIONS:

a. The grantee of this exemption must comply with the provisions of 49 CFR Subpart I.

b. COMMUNICATION:

(1) The package must be plainly and durably marked "DOT-E 12468" in accordance with 49 CFR § 172.302(c). In accordance with 49 CFR § 173.427(a)(6), the package must be marked "Radioactive - LSA" and, if appropriate, package must also be stenciled with the letters "RQ".

(2) The package must be marked, labeled, and placarded in accordance with 49 CFR § 173.427(a).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each vessel and 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.

    - 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 in Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

NOV 5 2003
(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.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/exemption Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: JLWilliams