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

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

MAY 2 2 2003

DOT-E 13209

EXPIRATION DATE: April 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Corning, Inc.
Corning, NY

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of small quantities of a dangerous when wet material (sodium borohydride) and aqueous solutions of non-hazardous materials in the same outer packaging. 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(e), 173.24(e)(4), and 173.25(a)(1) in that hazardous materials may not be transported in the same outer package if the mixing of the materials is likely to cause the evolution of flammable gases or corrosive materials, except as provided herein.

5. BASIS: This exemption is based on the application of Corning, Inc., dated February 6, 2003, and supplemental information dated March 17, 21, 24, and 28, 2003, submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Sodium borohydride	4.3	UN1426	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging system consists of an outer fiberboard box containing two inner packages. One inner package contains a hazardous material and the second inner package contains non-hazardous materials.

(1) Sodium borohydride. Sodium borohydide in tablet form, weighing approximately 0.25 grams, must be packaged in a hermetically sealed, laminated foil pouch. No more than five (5) pouches surrounded by vermiculite may be placed in a metal can. The metal can is covered with a friction lid which is secured with a plastic ring. The metal can is cushioned by top and bottom EPS pads and placed into a UN4G fiberboard box marked for PG I materials.

(2) Reagents. Reagents are aqueous solutions of non-hazardous materials in plastic bottles ranging in size from 30 ml to 500 ml. No more than five (5) plastic bottles are placed in a corrugated box. The bottles must be secured in place by foam pads.

(3) The fiberboard boxes containing the sodium borohydride and the reagent are then placed in outer fiberboard box.

b. Void space in the outer fiberboard box must be filled to prevent the contents from shifting.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

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.:

MAY 22 2003

(DATE)

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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/exemptions Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: Steve Hwang