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

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

APR 8 2003

DOT-E 13223

EXPIRATION DATE: June 30, 2003

1. GRANTEE: E.I. DuPont de Nemours & Company Inc.
Wilmington, DE

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of a non-DOT specification IMO Type 5 portable tank with sunshield, mounted in an ISO Type IC frame, containing Difluoromethane (R-32) by motor vehicle from Long Beach, California to Louisville, Kentucky. 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 § 172.302(c) in that it is not required to mark the exemption number on the portable tank; and § 173.315 in that a non-DOT specification portable tank is not authorized except as specified herein.

5. BASIS: This emergency exemption is based on the application of E.I. DuPont de Nemours & Company Inc. dated April 3, 2003, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Difluoromethane or Refrigerant gas R-32	2.1	UN3252	NA

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification IMO Type 5 portable tank with sunshield, mounted in an ISO Type IC frame. The tank: bears owners serial number EURU530071-5 and manufacturers serial number P 30136; is ASME "U" stamped with a MAWP of 362 psig (25 bars) and a pressure relief valve setting of 399 psig (27.5 psig); and conforms with Eurotainer Dwg. 1253/01/200/1/U2, Rev. C on file with the Office of Hazardous Materials Exemptions and Approvals.

b. OPERATIONAL CONTROLS -

(1) The pressure within the tank must be monitored to ensure containment of the lading in accordance with DuPont procedures communicated to the drivers of the vehicle. Emergency response contact information must be supplied to the carrier's drivers.

(2) This exemption authorizes the one-time, one-way transportation from Long Beach, California to Louisville, Kentucky. A contract carrier under the exclusive use of the shipper must be used.

8. SPECIAL PROVISIONS:

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

b. The marking requirement of § 172.302(c)is waived. The exemption number "DOT-E 13223", must appear on the shipping papers.

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 the portable tank 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 at Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

APR 8 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/exemptions Photo reproductions and legible reductions of the exemption are permitted. Any alteration of this exemption is prohibited.

PO: SStansizewski