MAY 21 1998

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

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

DOT-E 12041
(FIRST REVISION)

EXPIRATION DATE: **April 30, 2000**

(FOR RENEWAL, SEE 49 CFR SECTION 107.109)

1. GRANTEE: General Electric Company
Pittsfield, Massachusetts

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain cylinders, containing only the residue of phosgene, which have been tested for leakage using a method other than the method that is specified in the regulations. This exemption provides no relief from any regulation 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 173.192(c)(3).

5. BASIS: This exemption is based on the application of General Electric Plastics, dated February 5, 1998, submitted in accordance with 49 CFR 107.109.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi-fication Number	Packing Group
Phosgene	2.3	UN1076	N/A

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Material listed in paragraph 6 above must be packaged as specified in 49 CFR 173.192.

b. TESTING - Cylinders containing phosgene must be tested for leakage before being offered for transportation or transported and must show absolutely no leakage. The test must be conducted in accordance with the following procedure:

(1) Cylinders must be stored in dedicated storage rooms (areas). The temperature of the areas must be maintained at approximately 38°C (100°F). (Note: these rooms should be under a slight negative pressure and vented to a scrubber system).

(2) Cylinders must be stored upright in racks of five to minimize individual handling.

(3) Cylinders must be closed, capped and stored for at least 24 hours.

(4) The dedicated storage rooms must be monitored continuously with a system capable of detecting phosgene in the parts per billion (p.p.b.) range. The system must be alarmed and must be calibrated periodically. Monitoring data must be recorded continuously.

(5) If phosgene is detected by an area monitor, a portable monitor with p.p.b. detection capability must be used to locate/isolate the leak. Any leak must be fixed.

8. SPECIAL PROVISIONS: None as a requirement of this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None as a requirement of 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. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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- Registration required by 49 CFR 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in 49 CFR 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 49 CFR 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the 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. (49 CFR 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.:

for Ann Mazzullo 5/21/98

Alan I. Roberts (DATE)
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. 20590-0001. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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