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

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

APR 16 1999

DOT-E 12190

EXPIRATION DATE: **March 31, 2001**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Indiana Michigan Power Company (I&M)
Buchanan, MI

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of four steam generator lower assemblies (SGLA) from the Donald C. Cook Nuclear Plant to the Chem-Nuclear Systems, Inc. (CNSI) Waste Management Facility located in Barnwell, SC. This exemption authorizes the SGLA to be classified as surface contaminated objects, class II, and transported in non-specification packages under a transport plan which provides an equivalent level of safety to the packages and procedures specified in Title 49 of the Code of Federal Regulations. This exemption provides no relief from the Hazardous Material 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. Section 173.403 in that the fixed and non-fixed contamination levels for surface contaminated objects, class II, (SCO-II) are waived for the SGLA specified in the exemption application.

b. Paragraph 173.427(a) in that the requirement for surface contaminated objects, class II, be transported in authorized packaging is waived and the SGLA specified in the exemption application can be transported in non-specification packages under specified transport plans which provide equivalent safety to the packages and procedures required by the HMR.

5. BASIS: This exemption is based on the application of I&M dated October 8, 1998 and additional technical data submitted on February 18 and April 2, 1999, 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
Radioactive material, surface contaminated object	Class 7	UN 2913	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Under the provisions of this exemption, the SGLA and its personnel barrier are considered to be a non-specification package providing an equivalent level of safety to the packaging authorized under Title 49 of the Code of Federal Regulation.

(2) The contamination levels and radionuclides present on each SGLA must be consistent with the levels identified in I&M's original application and subsequent technical data submittals.

(3) To maximize radiation protection, each SGLA must be prepared for shipment by welding or bolting shut all nozzles, instrument penetrations and mechanical enclosures using closure plates. After these preparations have been completed, the SGLA must be shrink wrapped.

(4) All lifting mechanisms must be removed or rendered inoperable.

b. OPERATIONAL CONTROLS -

(1) The SGLA must be consigned as exclusive use.

(2) All controls, provisions and routes specified in Chem-Nuclear Systems, Inc. document entitled "Transportation and Emergency Response Plan for D.C. Cook Unit 2 Steam Generator Project, Project No. 46628, dated April 2, 1999 must be followed.

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.

c. MARKING -

(1) The package must be plainly and durably marked "DOT-E-12190" in accordance with § 172.301(c). Additionally, the package must be marked "Radioactive - SCO" in accordance with § 173.427(a)(6), and, if appropriate, package must also be stenciled with the letters "RQ".

(2) The SGLA must be marked, labeled, and placarded in accordance with the provisions identified in § 173.427(a).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

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

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- 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: 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.:

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

April 11, 1999
(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.

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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