DEC 15 2000

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

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

DOT-E 12598

EXPIRATION DATE: January 30, 2001

1. GRANTEE: Lawrence Berkeley National Laboratory
Berkeley, CA

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time transportation in commerce of packages of flammable liquid which exceed the maximum weight requirement for a limited quantity. 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 marking the exemption number on each crate is waived; and § 173.150(b) in that the outer package exceeds the 66 lbs. maximum weight requirement for a limited quantity of flammable liquid.

5. BASIS: This emergency exemption is based on the application of Lawrence Berkeley National Laboratory dated December 15, 2000, submitted in accordance with § 107.117 and a determination that it is necessary to protect the environment and property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
flammable liquid, n.o.s. (contains xylenes)	3	UN1993	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings are 5 crates constructed of plywood and hardboard that contain sealed, customized aluminum containers of flammable liquid. The containers are neutron detectors and the flammable liquid is part of the detector. Six to seven detectors are suspended within each shipping crate, bolted in place in a custom framework within each crate.

b. Each detector and its contents weighs approximately 6 to 7 lbs. each, and packing 6 or 7 in a crate results in a total gross weight that exceeds the maximum weight limitation for a limited quantity of flammable liquid.

c. The 5 crates are authorized for the one-time transportation by highway from Washington University, St. Louis, MO to Lawrence Berkeley National Laboratory, Berkeley, CA.

d. The crates will be transported by North American Transportation, which is a contract carrier.

e. Marking the exemption number on each crate in accordance with § 172.203(c) is waived.

8. SPECIAL PROVISIONS: 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.

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

DEC 15 2000

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

(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.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: AM