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

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

AUG 29 2002

DOT-E 13095

EXPIRATION DATE: January 31, 2004

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Texas A&M University
Ocean Drilling Program
College Station, TX

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the transportation in commerce of certain non-DOT specification hydraulic accumulators containing methane. 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 §§ 173.302(a)(1), in that the prescribed packaging is not authorized except as provided herein.

5. BASIS: This emergency exemption is based on the application of Texas A&M University, Ocean Drilling Program, dated August 9, 2002, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Methane, compressed	2.1	UN1971	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a steel hydraulic accumulator conforming with drawings submitted by the applicant and on file with the Office of Hazardous Materials Exemptions and Approvals.

(1) Each accumulator has a: capacity of not over 7 1/2 gallon; design pressure not exceeding 3,000 psig; and 4 to 1 burst to design pressure ratio.

(2) Each accumulator must be constructed to relieve pressure without bursting in a fire or must be equipped with a pressure relief device as required in § 173.34(d).

b. OPERATIONAL CONTROLS -

(1) The charged pressure of each accumulator at 70°F for shipment must not exceed 70 percent of the design pressure.

(2) Each accumulator must be shipped in strong outside packaging in accordance with § 173.301(k). Each outside packaging must be marked "DOT-E 13095" and "Methane, compressed, UN1971".

(3) Accumulators may not be reused.

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, cargo vessel and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle, vessel or 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 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. (Sections 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 in Washington, D.C.:

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

AUG 29 2002
(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 this exemption are permitted. Any alteration of this exemption is prohibited.

PO: dl/SS