U.S. Department
of Transportation

**Research and
Special Programs
Administration**

MAY 5 2003

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

DOT-E 13236

EXPIRATION DATE: May 31, 2003

1. GRANTEE: Transport Logistics International
Burtonsville, MD

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the one-time transportation in commerce of two freight containers containing certain radioactive materials classed and packaged in accordance with the International Maritime Dangerous Goods Code (IMDG Code) that are not properly labeled in accordance with the IMDG Code. 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 §§ 171.12 in that the labeling requirements are waived and 172.301(c) in that the marking requirements are waived.

5. BASIS: This exemption is based on the application of Transport Logistics International dated May 5, 2003, submitted in accordance with § 107.117 a determination that it is necessary for the protection of life and the environment.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Radioactive material, Type A, fissile | 7 | UN3327 | n/a |
| Radioactive material, low specific activity (LSA-1) | 7 | UN2912 | n/a |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Material transported under the provisions of this exemption must be packaged in accordance with the IMDG Code.

b. OPERATIONAL CONTROLS - Each freight container must be properly marked and labeled in accordance with the IMDG Code.

c. This exemption only authorizes the one-time transportation of two freight containers containing the material identified in paragraph 6 from Seattle, Washington to Wilmington, NC.

8. SPECIAL PROVISIONS:

a. Transportation is restricted to private and contract carriage.

b. The marking requirements of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current 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.

- 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 in Washington, D.C.:

MAY 5 2003

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.

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.

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