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

JUL 1 1999

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

DOT-E 12304

EXPIRATION DATE: **August 31, 1999**

1. GRANTEE: Transport Logistics International
Burtonsville, MD

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time transportation in commerce of an empty TN-7/2 spent fuel cask which exceeds the surface contamination limits of 49 CFR 173.443. The cask, which must be containerized in accordance with paragraph 7, will be transported from Portsmouth, VA to the DOE Savannah River Site. This exemption provides no relief from any regulation 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: 49 CFR § 173.443 in that the cask may exceed the maximum contamination authorized for empty packages. 49 CFR 172.301(c) as it pertains to marking the exemption number on packages.

5. BASIS: This emergency exemption is based on the application of Transport Logistics International dated June 29, 1999, submitted in accordance with § 107.117 and a determination that it is necessary in order to protect life and property.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi- fication Number | Packing Group |
|---|---|---|---|
| Radioactive Material, excepted package - empty package | Class 7 | UN 2910 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The TN-7/2 spent fuel cask transported under this exemption must be loaded in a 20 foot ISO flatrack (serial number SOWN203650).

b. MARKING - Since the flatrack is located at the Portsmouth Marine Terminal and the USCG has restricted access to the package, the marking requirements of 49 CFR 172.301(c) are waived.

8. SPECIAL PROVISIONS: "DOT-E 12304" must appear on the shipping papers.

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. 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 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.:

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(DATE)

Alan I. Roberts
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. 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.

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