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

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

DEC 9 2003

DOT-E 4661
(ELEVENTH REVISION)

EXPIRATION DATE: November 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Chemetall Foote Corporation
Kings Mountain, NC

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of those hazardous materials specified in paragraph 6 below in 4BA240 and 4BW240 cylinders which have been tested and inspected using alternative retest procedures. 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.

c. Party status will not be granted to this exemption.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 180.205(b),(c), (f) and (g); 180.209(a) and 180.213 in that an alternative test and inspection procedure is authorized in place of the prescribed internal visual inspection and pressure retest, and that marking with a retester's identification number is not required.

5. BASIS: This exemption is based on the application of Chemetall Foote Corporation dated November 24, 2003, submitted in accordance with § 107.109.

HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi-fication Number	Packing Group
Flammable liquids, n.o.s.	3	UN1993	I
Flammable liquids, corrosive, n.o.s.	3	UN2924	I
Lithium alkyls	4.2	UN2445	I
Organometallic compound *or* Compound solution *or* Compound dispersion, water-reactive, flammable, n.o.s.	4.3	UN3207	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are 4BA240 and 4BW240 cylinders which may be retested with hexane or nitrogen at one and one-half times the highest charging pressure and retest/inspection dates marked, in accordance with the procedures described in the letters from Chemetall Foote Corporation dated March 20 and April 13, 2000 instead of the internal visual inspection and pressure retest specified in §§ 180.205(f) and (g) and the marking prescribed in § 180.213. External visual inspection must be conducted at least once every five years in order to determine if any possible other shell failures are evident in accordance with the criteria in CGA pamphlet C-6 (1993 edition).

b. OPERATIONAL CONTROLS -

(1) Cylinders that are requalified in accordance with this exemption must be used exclusively for the materials listed in paragraph 6 above.

(2) A retester's identification number is not required if the alternate test using hexane or nitrogen is used, or when visually inspected as authorized by this exemption.

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 modification or change is made to the package or its contents 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, rail freight and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel 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 9 2003
(DATE)

for Robert A. McGuire
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.

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: MT/ALB