March 1, 2004

U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 11401
(NINTH REVISION)

EXPIRATION DATE: **January 31, 2006**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Agilent Technologies, Inc.
Santa Clara, CA

(See Appendix A to this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain cesium devices. 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 §§ 172.400(a) and 172.500(a) in that labeling and placarding requirements are waived; § 173.211(a) in that the packaging is not authorized and § 175.3, except as specified herein.

5. BASIS: This exemption is based on the application of Agilent Technologies, Inc. dated January 15, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Cesium *or* Caesium	4.3	UN1407	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are cesium devices described as the following: cesium beam tubes, cesium beam frequency standards, and primary frequency standards.

(1) The cesium beam tube consists of an inner nickel cylinder enclosed within an outer stainless steel, welded, hermetically sealed cylinder as described in the application for exemption. The outer cylinder is under a vacuum; the inner cylinder contains a maximum of 9 grams of cesium.

(2) The cesium beam frequency standard and the primary frequency standard consist of a cesium beam tube assembled with electronic equipment.

b. OPERATIONAL CONTROLS -

(1) Each shipment may not contain more than 5 cesium devices at a time.

(2) Each cesium beam tube shipped separately must be transported in a fiberboard box.

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.

c. Shipments of packages covered by this exemption are exempt from labeling and placarding requirements.

d. MARKING - The outside of each package must be marked "DOT-E 11401".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger-carrying aircraft.

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

  - Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

  - 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 incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

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: SStaniszewski/alb

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	**Application Date**	**Issue Date**	**Expiration Date**
Department of Defense Fort Eustis, VA	Jan 27, 2004	Mar 01, 2004	Jan 31, 2006

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety