



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

JUN 17 2004

DOT-E 11486
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: The Department of Defense (DOD)
Fort Eustis, Virginia
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of glass ampoules containing certain Division 2.3 materials for disposal in a non-DOT specification packaging known as a single round container. 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: The marking requirements of § 172.301(c); § 173.40 and § 173.192 only in that the prescribed containers are not authorized packagings, except as specified herein.
5. BASIS: This exemption is based on the application of DOD dated March 2, 2004, submitted in accordance with § 107.109.

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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
Cyanogen chloride, stabilized	2.3	UN1589	N/A, Hazard Zone A
Phosgene	2.3	UN1076	N/A, Hazard Zone A

7. SAFETY CONTROL MEASURES:a. PACKAGING -

(1) Packaging prescribed is a non-DOT specification container known as a single round container (SRC) containing 40 ml glass ampoules of either cyanogen chloride, inhibited or phosgene. The SRC must be designed and manufactured in accordance with U.S. Army Armament, Munitions & Chemical Command drawings submitted by the applicant and on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

(2) The glass ampoules must be secured within the SRC by a non-reactive cushioning material such as vermiculite. The maximum quantity of cyanogen chloride, inhibited or phosgene contained within a single SRC is 1404 grams (28 ampoules) or 1620 grams (25 ampoules), respectively.

(3) The SRC must be shipped palletized on dedicated vehicles and may not be stacked.

b. TESTING - Each SRC must be capable of successfully passing a hydrostatic pressure test of at least 200 psig.

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c. OPERATIONAL CONTROLS -

(1) Standard Operating Procedure TU-000-M-235 dated January 1995 on file with the OHMEA must be used for loading the glass ampoules into the SRC.

(2) Glass ampoules of cyanogen chloride, inhibited and phosgene may not be loaded into the same SRC.

d. MARKING - The marking requirements of § 172.301(c) are waived.

8. SPECIAL PROVISIONS: DOD must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

b. Drivers must be instructed on the hazards of the materials being transported in addition to safeguards and proper procedures to be followed in the event of fire, accident or unusual delay.

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:

o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

o 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.

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 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.:



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Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(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: sln