



U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

JUN 17 2004

DOT-E 12630
(FIRST REVISION)

EXPIRATION DATE: **May 31, 2006**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Chemetall GmbH Gesellschaft
Langelsheim, Germany
(US Agent: Chemetall Foote Corp.,
Kings Mountain, NC)
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of lithium alkyls in certain DOT Specification IM 101 portable tanks with a minimum shell thickness less than required in the Hazardous Materials Regulations (HMR). This exemption provides no relief from the 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 §§ 172.101 Hazardous Materials Table, Column 7 Special Provision T21, 172.102(a)(2) and (c)(7)(ii), and 178.270-5(d) in that a DOT Specification IM 101 portable tank with a minimum shell thickness less than that prescribed in Special Provision T21 is not authorized except as specified herein.
5. BASIS: This exemption is based on the application of Chemetall GmbH Gesellschaft dated April 23, 2004, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium Alkyls	4.2	UN2445	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a DOT Specification IM 101 portable tank designed and fabricated as a vessel of sandwich wall construction consisting of a steel inner vessel and insulation plus an outer stainless steel cladding, rather than as a single walled vessel. The portable tank is fully enclosed in a complete ISO framework which has been tested and certified in accordance with the requirements of the International Convention for Safe Containers. Additionally, each portable tank must conform to the following:

(1) Specification - Each tank must conform to DOT Specification IM 101 specification except as specified below:

(i) § 178.270-3 Materials of construction. Each inner vessel must be constructed of T/ESTe 355 steel meeting DIN 17102 (German standard) having a guaranteed minimum tensile strength of 49dN/mm² and a guaranteed minimum elongation of 22%.

(ii) § 178.270-5 Minimum thickness of shells and heads.

(a), (b), (c) * * *

(d) The shell and head thickness must be equivalent to at least 10.9 mm of the reference steel.

(2) Head and shell construction - the following head and shell construction is authorized:

Material of construction	T/ESTe 355 (DIN 17102)
Minimum thickness (actual)	Shell: 10.0 mm Heads: 11.4 mm
Insulation system	Polyurethane insulation of 100 mm minimum thickness covered by a stainless steel jacket of 0.8 mm minimum thickness.

b. TESTING - Each portable tank must be periodically retested and reinspected as specified for DOT Specification IM 101 steel portable tanks.

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. Each portable tank must be plainly marked on both sides near the middle, in letters and numerals at least two inches high on a contrasting background, "DOT-E 12630".

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 or 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:

- 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 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.:



fa Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUN 17 2004

(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: PTolson/alb