



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 20 2004

DOT-E 13057
(THIRD REVISION)

EXPIRATION DATE: May 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: MINTEQ International Inc.
Easton, PA

2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of steel tubing which has an inner core containing the hazardous materials listed in paragraph 6 of this exemption and exempts the steel tubing from the packaging, marking, labeling and placarding requirements of 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.

 - 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 Part 172, Subparts D, E and F in that the steel tubing is exempt from marking, labeling and placarding; § 173.24(c), and Subparts E and F of Part 173 in that the packaging is not authorized, except as specified herein.

5. BASIS: This exemption is based on the applications of MINTEQ International, Inc. dated May 10, 2004 submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Aluminum powder, uncoated	4.3	UN1396	II
Aluminum powder, coated	4.1	UN1309	III
Antimony powder	6.1	UN2871	III
Antimony compounds, inorganic, solid, n.o.s.	6.1	UN1549	III
Calcium	4.3	UN1401	II
Calcium silicide	4.3	UN1405	III
Environmentally hazardous substances, n.o.s.	9	UN3077	III
Flammable solid, inorganic, n.o.s	4.1	UN3178	III
Flammable solid, toxic, inorganic, n.o.s	4.1	UN3179	III
Generic or specific materials listed in Table 172.101 that meet the definition of 4.1, Packing Group III, which are authorized in writing by the Office of Hazardous Materials Exemptions and Approvals prior to the first shipment	4.1	As appropriate	III
Generic or specific materials listed in Table 172.101 that meet the definition of 4.3, Packing Group III, which are authorized in writing by the Office of Hazardous Materials Exemptions and Approvals prior to the first shipment	4.3	As appropriate	III
Generic or specific materials listed in Table 172.101 that	6.1	As appro-	III

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Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
meet the definition of 6.1, Packing Group III, which are authorized in writing by the Office of Hazardous Materials Exemptions and Approvals prior to the first shipment		priate	
Metal powders, flammable, n.o.s.	4.1	UN3089	III
Silicon powder, amorphous	4.1	UN1346	III
Sulfur	4.1 9	UN1350 NA1350	III III
Titanium sponge granules or powder	4.1	UN2878	III
Zinc powder	4.3	UN1436	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The hazardous material must be contained in the core of a continuous roll of steel tubing. The seam of the tube must be sealed within a water vapor-tight, double overlapped crimp in a roll-forming process, or by other equivalent means as shown on the drawing identified as "APPENDIX B" submitted by the applicant and on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

- (1) The outer diameter of the core-filled steel tubing is limited to a maximum of 25.4 mm (one inch).
- (2) The ends of the core-filled steel tubing must be securely sealed with a suitable water vapor-tight cap.
- (3) The wall thickness of the core-filled steel tubing may not be less than 0.4 mm for tubing with outer diameters greater than 16 mm and may be less than 0.25 mm for tubing outer diameters of 16 mm or less.

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- (4) The quantity of hazardous material shall not exceed 1000 grams (2.2 pounds) per meter of core-filled steel tubing.
- (5) The core-filled steel tubing must be continuously coiled on a strong wooden or steel reel or within a steel cage securely affixed on a wooden pallet. The length of any one continuous roll or coil shall not exceed 10,000 meters.
- (6) Reels or cages of core-filled steel tubing must be completely enclosed in water vapor-resistant plastic sheeting or shrink-wrap and secured on a pallet.

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. The wooden or steel reel or cage containing the core-filled steel tubing must be marked with "DOT-E 13057" in letters at least 2 inches high on a contrasting background.

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.

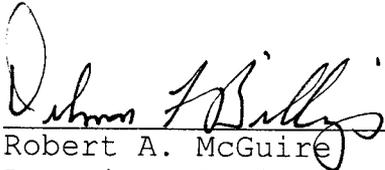
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

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.:



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Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUL 20 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: SCW