



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

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

NOV 14 2003

DOT-E 13249

EXPIRATION DATE: September 30, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Creative Engineers, Inc.
Cranberry Twp. PA
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the transportation in commerce of sodium in DOT-4BW240 cylinders that are visually inspected externally instead of the required hydrostatic requalification. 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 § 180.209(g) in that a periodic external visual inspection is performed instead of the required hydrostatic test and internal visual inspection for the specified material; and § 173.211 in that use of a DOT-4BW240 is not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of Creative Engineers, Inc. dated May 20, 2003 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Sodium	4.3	UN1391	PGI

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Prescribed packaging is a DOT Specification 4BW240 cylinder. Each cylinder is subject to the following requirements:

(1) The lading must be charged with a nitrogen or argon blanket not exceeding 5 psig.

(2) The cylinder pressure at 115°F may not exceed 15 psig, including pressure exerted by the nitrogen or argon blanket.

b. OPERATIONAL CONTROLS:

(1) Each cylinder must be exclusively used in sodium service.

(2) The lading must be commercially free from corroding components.

c. TESTING:

(1) Each cylinder must be given a complete external visual inspection at least once every five (5) years in accordance with § 180.209(g). The inspection must be in accordance with Compressed Gas Association (CGA) Pamphlet C-6 as referenced in the § 171.7 table. The cylinder must be approved, rejected or condemned according to the criteria in the pamphlet. A cylinder which fails the visual inspection must be removed from service and stamped condemned as specified in § 180.205(i)(2).

(2) Each person performing the visual inspections authorized by this exemption must be in compliance with approval requirements of § 107.805(f); have a copy of CGA Pamphlet C-6 and be familiar with its acceptance/rejection criteria; and have a current copy of this exemption, 49 CFR Parts 100 - 185, and other reference material required by the applicable sections of § 173.301 and 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, or motor vehicle 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:

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

Robert A. McGuire

NOV 14 2003

(DATE)

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:DB