U.S. Department
of Transportation

**Pipeline and
Hazardous
Materials Safety
Administration**

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

MAY 2 3 2005

DOT-E 13262
(FIRST REVISION)

EXPIRATION DATE: March 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Symmetricom, Inc.
Beverly, MA

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain cesium devices in alternative packagings and are exempt from labeling and placarding requirements. 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 Symmetricom, Inc. dated April 12, 2005, 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 consist of:

(1) An inner packaging that is--

(i) a replacement cesium beam tube; or

(ii) a cesium beam tube that is part of a complete timing instrument; and

(2) An outer packaging (vacuum envelope) which consists of a stainless steel, welded, hermetically sealed cylinder as described in the application for exemption.

(3) The outer cylinder is under a vacuum; the inner packaging contains a maximum of 5 grams of cesium.

(4) 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 13262".

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: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.

MAY 2 3 2005
DATE

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-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.

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