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

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

OCT 3 2002

DOT-E 12946
(FIRST REVISION)

EXPIRATION DATE: September 30, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Baker Atlas
Houston, TX

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the one-way transportation in commerce of certain non-DOT specification cylinders containing waste chlorine trifluoride for disposal only. 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 § 173.304 in that non-DOT specification cylinders are not authorized except as specified herein.

5. BASIS: This exemption is based on the application of Baker Atlas dated August 8, 2002 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	**Hazard Class/ Division**	**Identi- fication Number**	**Packing Group**
Waste chlorine trifluoride	2.3	UN1746	N/A Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are non-DOT specification oil well cylinders made of seamless metal tubing. The cylinders have a maximum length of 24 inches and maximum outside diameter of 2 inches. The cylinders are not fitted with a pressure relief device.

b. OPERATIONAL CONTROLS -

(1) Each cylinder may not contain more than one liter of chlorine trifluoride.

(2) Cylinders must be shipped in strong wooden boxes in accordance with § 173.301(a)(9). No more than six cylinders may be in each wooden box.

(3) Each wooden box must be plainly and durably marked "DOT-E 12946" as specified in § 172.301(b).

8. SPECIAL PROVISIONS:

a. This exemption only authorizes one-way transportation to a disposal facility. Subsequent transportation of the prescribed cylinders in hazardous material service is not authorized.

b. A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

c. Emergency response information provided with the shipment, and available via an emergency response telephone number, must indicate that the receptacles are not fitted with pressure relief devices and provide appropriate guidance in case the cylinders are exposed to fire.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each 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:

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

- 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.:

Ann Mazzullo

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

OCT 3 2002
(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: CWF/am