U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10169 (EXTENSION)
ORIGINAL October 30, 1992

In accordance with 49 CFR 107.105 of the Department of Transportation (DOT) Hazardous Materials Regulations DOT-E 10169 is hereby extended for the party(ies) listed below by changing the expiration date in paragraph 10 to May 31, 1997. This change is effective from the issue date of this extension. All other terms of the exemption remain unchanged.

This extension applies only to party(ies) listed below based on the application(s) received in accordance with 49 CFR 107.105. This extension constitutes a necessary part of this exemption and must be attached to it.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

JUN 12 1995
(DATE)

Dist: FRA

EXEMPTION HOLDER	APPLICATION DATE
Carolina Power & Light Company (CP&L) Raleigh, NC	May 31, 1995

ADVISORY

IF YOU ARE A HOLDER OF AN EXEMPTION THAT AUTHORIZES THE USE OF A PACKAGING WITH A MAXIMUM CAPACITY LESS THAN 450 L (119 GALLONS) OR A MAXIMUM NET MASS LESS THAN 400 KG (882 POUNDS), PLEASE BE ADVISED THAT YOUR EXEMPTION MAY NOT BE RENEWED BEYOND SEPTEMBER 30, 1996. IN ADDITION, NO NEW CONSTRUCTION OF PACKAGINGS WHICH FALL WITHIN THE NON-BULK CAPACITIES LISTED ABOVE ARE AUTHORIZED AFTER SEPTEMBER 30, 1994. THIS IS CONSISTENT WITH THE IMPLEMENTATION OF THE NEW PACKAGING REQUIREMENTS ADOPTED UNDER DOCKET HM-181. ANY APPLICATION SUBMITTED TO THIS OFFICE TO RENEW AN EXEMPTION BEYOND THE SEPTEMBER 30, 1996 DATE WILL BE DENIED UNLESS THE APPLICATION CONTAINS SUPPORTING INFORMATION TO JUSTIFY THE CONTINUATION OF THE EXEMPTION.

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DOT E-10169

1. Carolina Power and Light Co. of New Hill, North Carolina is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer packages prescribed herein of the hazardous materials described in paragraph 3 below for transportation in commerce, subject to the limitations and special requirements specified herein. This exemption authorizes applying the contamination limits allowed in 49 CFR 173.443(d) for closed transport vehicle by highway to be applied to rail shipments in closed transport vehicles, and provides no relief from any regulation other than as specifically stated.

2. BASIS. This exemption is based on the Carolina Power and Light Co.s' application dated April 3, 1989, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Spent nuclear fuel, classed as radioactive material.

4. PROPER SHIPPING NAME (49 CFR 172.101). Radioactive Material, Fissile, n.o.s..

5. REGULATIONS AFFECTED. 49 CFR 174.715.

6. MODES OF TRANSPORTATION AUTHORIZED. Rail freight.

7. SAFETY CONTROL MEASURES. The dose rates of the interior surfaces of each empty railcar must not exceed 10 millirem per hour at the surface or 2 millirem per hour at 1 meter (3.3 feet) from the surface. Each closed transport vehicle railcar must be stenciled with the words "For Radioactive materials Use Only" in letters at least 76 millimeters high in a conspicuous place on both sides of the exterior of the railcar. Each closed transport vehicle railcar is kept closed except for loading and unloading.

8. SPECIAL PROVISIONS. Materials must be shipped in a closed transport vehicle in cask USA/9001/B( )F.

9. REPORTING REQUIREMENTS. Any incident involving loss of packaging contents or packaging failure must be reported to the Associate Administrator for Hazardous Materials Safety as soon as practicable. (49 CFR 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.)

10. EXPIRATION DATE. September 30, 1993.

Issued at Washington, D.C.

OCT 3 0 1992

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

Date

Address all inquiries to: Associate Administrator, Office of Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. Attention: Exemptions Program

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