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

DEC 6 2002

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

DOT-E 13155
(FIRST REVISION)

EXPIRATION DATE: January 31, 2003

1. GRANTEE: Cabot Performance Materials
Boyertown, PA

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-time, one-way transportation in commerce of solidified sodium metal in certain non-DOT specification bulk packages for the purpose of remediation. 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 § 173.31(a)(1) and § 173.244 in that non-DOT specification packaging is not authorized, except as specified herein.

5. BASIS: This emergency exemption is based on the application of Cabot Performance Materials dated October 25, 2002, submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant injury to persons or property.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Materials Description | | | |
|---|---|---|---|
| **Proper Shipping Name** | **Hazard Class/ Division** | **Identi-fication Number** | **Packing Group** |
| Sodium | 4.3 | UN1428 | I |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed are two (2) non-DOT specification, double-walled, carbon steel bulk packages. The first package is an 11,200 gallon capacity rail car originally constructed to a DOT 105A300W Specification which has been removed from its trucks (i.e., running gear) but which no longer meets the specification due to it being overdue for the periodic tests required by 49 CFR 180.509(c). It is estimated to contain a heel of 2,000 gallons of sodium. The second package is a non-DOT specification storage tank having a capacity of 1,000 gallons. It is estimated to contain a heel of 200 gallons of sodium. Both packages have channels between the inner and outer shells used for heating fluid.

(1) The tank car is fitted with a pressure relief device.

(2) All other openings on the bulk packages must be closed with a blind flange.

b. OPERATIONAL CONTROLS -

(1) Prior to transportation, the sodium must be fused solid and be padded with an inert gas (Argon). The pad pressure must be between 5 and 15 psig.

(2) Authorization is for the one-time, one-way transportation from Boyertown, PA to a rail siding (a distance of approximately 2 to 4 miles by highway) where the packages will be transferred from the transport vehicle to a rail car and subsequently transported to Niagara Falls, NY, for remediation of the residual product and the packages.

(3) The bulk packages must be transported by a contract carrier.

(4) The bulk packages must be securely blocked and braced during highway transportation in conformance with the requirements of §§ 393.100 - 393.106.

(5) The bulk packages must be secured in or on the rail car used to transport the packages in a manner that ensures that the packages will not shift or receive damage that could result in a loss of package integrity during rail transportation.

(6) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the 1,000 gallon capacity storage tank is not fitted with pressure relief devices and provide appropriate guidance in case of a fire.

8. SPECIAL PROVISIONS:

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

b. Each non-DOT specification packaging must be marked "DOT-E 13155" as specified in §§ 172.301(b) and (c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle and rail freight.

10. MODAL REQUIREMENTS:

a. A current copy of this exemption must be carried aboard the motor vehicle used to transport packages covered by this exemption.

b. Each rail carrier transporting the non-specification packages addressed in this exemption shall be provided with a copy of the 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

- 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
Associate Administrator for
Hazardous Materials Safety

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(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.

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