U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

JUL 2 2 2004

DOT-E 13677

EXPIRATION DATE: October 31, 2004

1. GRANTEE: U.S. Department of Defense (DOD)
Ft. Eustis, VA

2. PURPOSE AND LIMITATION:

a. This emergency exemption authorizes the one-way transportation in commerce of Chlorine in DOT-specification cylinders equipped with a Chlorine Institute Emergency "A-Kit", from Eareckson Air Station, Alaska by cargo vessel. 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 § 172.301(c) in that marking the exemption number on the packaging is waived; and § 173.3(d) in that transportation by cargo vessel is authorized.

5. BASIS: This emergency exemption is based on the applications of DOD dated December 22, 2003 and June 2, 2004, 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 Material Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Chlorine	2.3	UN1017	Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a DOT Specification 3A480 or 3AA480 cylinder which has developed a leak. The cylinder must be equipped with a Chlorine Institute Emergency "A-Kit" to prevent leakage during transportation.

b. OPERATIONAL CONTROLS -

(1) Each package must be blocked and braced to prevent movement during transportation.

(2) Emergency response information provided with the shipment and available via an emergency response telephone number must indicate that the packages are not fitted with pressure relief devices and provide appropriate guidance for exposure to fire.

(3) No cylinder may leak hazardous materials during transportation.

8. SPECIAL PROVISIONS: The marking requirements of § 172.301(c) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport the package 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.

- 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 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.:

JUL 2 2 2004

Robert A. McGuire
For Associate Administrator for
Hazardous Materials Safety

(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: AM