U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

DOT-E 10141 (PTE)
ORIGINAL September 3, 1991

In accordance with 49 CFR 107.111 of the Department of Transportation (DOT) Hazardous Materials Regulations the party(ies) listed below is granted the status of party to DOT-E 10141. The expiration date of the exemption for the party(ies) is October 31, 1996.

This party status applies to the party(ies) listed below based on the application(s) submitted in accordance with 49 CFR 107.111 and the public proceeding thereon. All terms of the exemption remain unchanged. This authorization forms part of the exemption and must be attached to it.

Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

NOV 30 1994
(DATE)

Dist: FHWA FRA USCG FAA

| EXEMPTION HOLDER | APPLICATION DATE |
|---|---|
| Engelhard Corporation<br>Carteret, NJ | September 29, 1994 |

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-10141

1. General Electric Company of Pleasanton, CA is hereby granted an exemption from certain provisions of this Department's Hazardous Materials Regulations to offer or transport in commerce a radioactive material, Rhenium (Re) metal, subject to the limitations and special requirements specified herein. This exemption authorizes packagings of rhenium metal and alloys containing rhenium to be transported as "limited quantity" radioactive materials without prescribed marking requirements and certification statements, and provides no relief from any regulation other than as specifically stated.

2. BASIS This exemption is based on General Electric Company's application dated January 30, 1989, and a supplemented letter dated March 31, 1991, submitted in accordance with 49 CFR 107.103 and the public proceeding thereon.

3. HAZARDOUS MATERIALS (Descriptor and class). Rhenium metal and alloys containing rhenium which meet the definition of a radioactive material, classed as radioactive material.

4. PROPER SHIPPING NAME (49 CFR 172.101) Radioactive material, limited quantity, n.o.s.

5. REGULATION(S) AFFECTED 49 CFR 173.421(d), 49 CFR 173.421-1(a), and 49 CFR Part 107, Subpart B., Appendix B.

6. MODES OF TRANSPORTATION AUTHORIZED Motor vehicle, rail freight, cargo vessel, passenger-carrying aircraft, cargo aircraft only.

7. SAFETY CONTROL MEASURES. Strong, tight packagings that will not leak any of the radioactive materials described in paragraph 3 above during conditions normally incident to transportation.

8. SPECIAL PROVISIONS

a. Persons who receive packages covered by this exemption may reoffer them for transportation provided no modifications or changes are made to the packages, all terms of this exemption are complied with, and a current copy of this exemption is maintained at each facility from which such reoffering occurs.

b. In accordance with the provisions of 49 CFR Part 107, Appendix B to Subpart B, Paragraph 3, the shipper shall furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered. In addition, a copy of this exemption must be carried aboard each aircraft and cargo vessel used to transport packages covered by this exemption.

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.

10. EXPIRATION DATE. March 31, 1993.

Issued at Washington, D.C.

SEP 3 1991

Joseph T. Harrison

for Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

(DATE)

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

Dist: USCG, FAA, FHWA, FRA.