U.S. Department
of Transportation

**Research and
Special Programs
Administration**

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

MAY 4 2004

DOT-E 13294

EXPIRATION DATE: March 31, 2006

1. GRANTEE: BOC Edwards
San Marcos, CA

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of fluorine generator electrolyte cells and traps containing hazardous materials in special packagings. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.211, § 173.212, § 173.213, and § 173.242(d) in that respective bulk and non-bulk packaging requirements are waived to allow using Monel vessels.

5. BASIS: This exemption is based on the application of BOC EDWARDS dated August 21, 2003, and September 8, 2003 and supplemental information dated March 9, 2004, submitted in accordance with § 107.105.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| **Hazardous Materials Description** | | | |
|---|---|---|---|
| **Proper shipping name** | **Hazard Class/ Division** | **Identi-fication Number** | **Packing Group** |
| Corrosive solids, toxic, n.o.s. | 8 | UN2923 | I |
| Sodium fluoride | 6.1 | UN1690 | III |
| Sodium hydrogendifluoride | 8 | UN2439 | II |

7. PACKAGING AND SAFETY CONTROL MEASURES: Packagings are non-DOT specification metal containers (vessels) made of monel that meet the drawings and description in BOC's March, 2004 application and the following:

   a. The vessels meet and are certified to the ASME pressure vessel code (BS5500).

   b. Vessels for fluorine generator electrolyte cells containing corrosive solid, toxic, n.o.s. and fluorine traps containing sodium fluoride or sodium hydrogendifluoride are authorized in non-bulk and bulk packagings. Each vessel must be overpacked with a wood crate.

   c. All vessel openings must be securely closed and tightly sealed to prevent opening during transportation.

   d. All vessels must be secured against movement in the transport vehicle.

   e. The electrolyte cells and the traps may be transported separately or as assembled in complete fluorine generator units which include the electrolyte cells and the traps enclosed in a metal cabinet.

8. SPECIAL PROVISIONS:

   a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

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

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.
- 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.:

for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAY 4 2004
Date

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, 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: Steve Hwang