U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

MAY 3 2005

DOT-E 14076

EXPIRATION DATE: March 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Florida Power & Light Company
Florida City, FL

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of two Reactor Vessel Closure Head (RVCH) assemblies, containing Class 7 radioactive material, to be classed as low specific activity material (LSA-II), and transported as non-specification packages from the Turkey Point Nuclear Plant in Florida City, FL to the Radiological Assistance, Consulting, and Engineering facility in Memphis, TN. 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:

a. 49 CFR § 173.403 insofar as the RVCH assemblies and their contents containing Low Specific Activity and Surface Contaminated Object type radioactive material may be considered LSA-II as specified herein.

b. 49 CFR § 173.427(a) insofar as the requirement that LSA-II must be transported in authorized packaging is waived. The RVCH assemblies specified in this exemption are authorized to be transported in non-specification packages

under a specified transport plan which provides the equivalent safety to the packages and procedures required by the HMR.

c. 49 CFR § 173.465(c) and (d) in that modified mechanical testing is authorized.

5. BASIS: This exemption is based on the application of Florida Power & Light Company dated November 19, 2004 and the technical information dated February 23, 2005 and April 14, 2005 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	**Hazard Class/ Division**	**Identi-fication Number**	**Packing Group**
Radioactive material, low specific activity (LSA-II) *non fissile or fissile excepted*	Class 7	UN3321	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The RVCH assemblies must be as described in the Florida Power & Light Company documentation on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

b. OPERATIONAL CONTROLS -

(1) Transportation is limited to the continental United States and inland waterways and coastline waters along the coasts of the continental United States.

(2) The total activity of each RVCH assembly may not exceed $4.39A_2$. A_2 is to be defined in accordance with § 173.433.

(3) Package preparation and transportation must be conducted in accordance with the Florida Power & Light Company documentation on file with the OHMEA.

(4) The RVCH assemblies must be consigned as exclusive use under the provisions of 49 CFR § 173.427(a)(6)(i)-(v) including placarding.

c. COMMMUNICATIONS -

(1) The Office of Hazardous Material Exemptions and Approvals must be notified at least 24 hours prior to RVCH assembly commencement of transportation and upon completion of transit.

(2) The outside of the RVCH assemblies must be plainly and durably marked "DOT-E 14076". Letters and numerals must be at least 0.25 inches wide and 4.0 inches high.

(3) The outside of the RVCH assemblies must be marked and labeled according to the applicable provisions of Subpart F of Part 172 for bulk packaging.

8. SPECIAL PROVISIONS: 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 and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle or cargo vessel 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.

- 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: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.

MAY 3 2005

DATE

Robert A. McGuire
for Associate Administrator for
Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590.
Attention: PHH-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: JLWilliams