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

OCT 19 1995

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

DOT-E 9114
(SECOND REVISION)

EXPIRATION DATE: **April 30, 1997**

1. GRANTEE: American Telephone and Telegraph Co (AT&T)
Lee's Summit, MO

2. PURPOSE AND LIMITATIONS:

This exemption authorizes the manufacture, marking and sale of a specially designed packaging to be used for transportation in commerce by highway to the Kansas City Works of electron tubes containing small amounts of radioactive material ($Kr^{85}$ and $Ra^{226}$) without specific determination of total activity or Transport Index for the package. This exemption provides no relief from any regulation 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 Sections 172.203(d)(3) and (4); 172.403(b) and (g)(2); 173.415(a).

5. BASIS: This exemption is based on the application of AT&T dated April 7, 1995, submitted in accordance with 49 CFR 107.105 and supplemental letter dated October 2, 1995.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

| Hazardous materials description -- proper shipping name | Hazard Class/ Division | Identi-fication Number | Packing Group |
|---|---|---|---|
| Electron tubes containing very small amounts of radioactive material/Radioactive material, n.o.s. | 7 | UN2982 | N/A |

Expired - NO Renewal
Not Active

7. PACKAGING(S) and SAFETY CONTROL MEASURES:

a. AT&T Technologies shall provide the shippers with: 1) packaging meeting DOT Specification 7A performance requirements when loaded with electron tubes containing $Kr^{85}$ and $Ra^{226}$ as described in their application; 2) instructions for preparing the shipment; 3) a listing of the electron tubes authorized for shipment as cited in the application for this exemption; and 4) filled-out Radioactive Yellow II labels for the packages

b. The instructions for preparing the package for shipment must be sufficiently detailed to assure that the package conforms to requirements of the regulations and this exemption.

8. SPECIAL PROVISIONS:

a. Offerors for transportation of the hazardous materials specified in this exemption may use the packaging described in this exemption for the transportation of such hazardous materials so long as no modifications or changes are made to the packages, all terms of this exemption are complied with, and a copy of the current exemption is maintained at each facility from which such offering occurs.

b. The total activity in the package does not need to be determined by the shipper. The shipping papers and labels may show an entry "less than 56 (1.5 MBq) total" for activity.

c. The physical and chemical form of the radionuclides is not required on the shipping papers.

d. The Transport Index of the package as offered for transport may be less than but not more than the 0.2 as shown on the label. The shipper does not need to measure the Transport Index or radiation level at the surface of the package.

e. Near the DOT-E 9114 marking on the packaging there shall be a statement indicating that the exact determinations of the total activity and Transport Index is not required by terms of the exemption.

f. The shipper does not need to maintain the file cited in the second sentence of 49 CFR 173.415(a).

g. All shipments must be consigned to the Kansas City Works of the AT&T Technologies Inc.

h. Shippers using the packaging covered by this exemption must comply with all provisions of this exemption, and all other applicable requirements contained in 49 CFR Parts 171-180.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: None as a requirement of 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. Section 5101 et seq:

- All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
- Registration required by 49 CFR 107.601 et seq., when applicable.

No person may use or apply this exemption, including display of its number, when the 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. (49 CFR 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 also inform the AAHMS, in writing, as soon as practicable of any incidents involving the package and shipments made under this exemption.

Issued at Washington, D.C.

OCT 19 1995

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, Department of Transportation, Washington, D.C. 20590. Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

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