

RSPA-02-11638-33

12920-M
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Epichem Inc.
1429 Hilldale Avenue
Haverhill, Ma 01832
U.S.A.

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3710070

Facsimile

To: Ann Mazzullo

cc:

Fax No.: 202-366-3308

From: Angela A. Goides

Date: April 12, 2005

Subject: Modifications for DOT E-10048 and
DOT E-12920

Company: U.S. Department of
Transportation

Tel No: 202-366-4510

E-mail: goidesaa@epichem.com

Total No of Pages: 4

- Urgent
- For Review
- Please comment
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- Please recycle

Hi Ann,

I am requesting a change to both DOT E-12920 and DOT E-10048. These modifications reflect the implementation of the new UN assignments by the 2005 regulations. Please call me at 978-374-5200 (ext 227) if you require any further information or assistance from me.

Thank you,

Angela A. Goides

Epichem, Inc.
Production Manager.

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DEPT OF TRANSPORTATION
PROJECTS



In Amis

12920 MODS



12 April 2005

Office of Hazardous Materials Transportation
U.S. Dept. of Transportation Room 84-36
400 7th Street SW
Washington, DC 20590

ATTN: Suzanne Hedgepeth,
Chief Exemptions Branch DHM-31

APPLICATION FOR MODIFICATION OF DOT E-12920

I. APPLICANT

Epichem, Inc.
1429 Hilldale Avenue
Haverhill, MA 01832

Contact: Angela A. Goides
Telephone: 978-374-5200, ext. 227
Fax: 978-374-6474

II. SHIPPING EXPERIENCE

For the period of October 2004 to the present, Epichem, Inc. made approximately 15 shipments, of sampling cylinders authorized by DOT E-12920. There were no incidents of lost product.

III. CERTIFICATION

Epichem, Inc. certifies that the descriptions, technical information and safety assessments on file with the DOT remain accurate and correct and no further information need be submitted to update the DOT's file.

The chemicals listed/to be added are all of the same Hazardous Properties.

IV. PETITION

Update the exemption to conform to current regulatory LN changes. Modification to section 6, where:

Metal Alkyls	UN 2003	PG I
<i>changes to:</i>		
Organometallic substance, liquid, pyrophoric, water-reactive	UN 3394	PG I

Others listed remain unchanged.

Thank you.

Angela A. Goides
Epichem, Inc., Production Manager

Cc: Dr. Benjamin Hui, Epichem, Inc.
Gregory T. Muhr, Epichem, Inc.
Brian McCarthy, Epichem, Inc.

epichem inc. part of the epichem group

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U.S. Department
of Transportation

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

**Research and
Special Programs
Administration**

DOT-E 12920
(THIRD REVISION)

EXPIRATION DATE: March 31, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Epichem, Inc
Haverhill, MA

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

- a. This exemption authorizes the transportation in commerce of certain pyrophoric materials in a combination package consisting of UN1A2 outer package and a UN1A1 inner package. 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 § 173.181(c) in that an inner package of greater than 4 liters is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Epichem, Inc., dated April 20, 2004 submitted in accordance with § 107.109 and an additional application dated October 11, 2004 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description/ Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Aluminum alkyls	4.2	UN3051	I
Diethylzinc	4.2	UN1366	I
Dimethylzinc	4.2	UN1370	I
Metal alkyls, water-reactive n.o.s. or Metal aryls, water- reactive n.o.s.	4.2	UN2003	I

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The prescribed packaging system consists of the following:

(1) Outer Packaging - A 208 liter capacity UN1A2 drum which has been certified to PG I. The drum has a minimum wall thickness of 1.0 mm and the top head is closed with a 2.4 mm steel closing ring.

(2) Inner Packaging - A 10 liter or 20 liter UN1A1 drum which have been certified to PG I. The drums have a minimum wall thickness of 1.9 mm. Both drums have 4 NPT openings, each with a diameter of 6.3 mm. The 10 liter drum is fabricated from 316 stainless steel and the 20 liter drum is fabricated from 304 stainless steel.

b. OPERATIONAL CONTROLS - No more than two (2) inner drums may be placed inside the outer drum.

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 modification or change is made to the package or its contents 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 and cargo vessel.

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

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o 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: 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.:

Robert A. McGuire
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: DB/AM