



U.S. Department  
of Transportation

**Pipeline and  
Hazardous Materials  
Safety Administration**

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

**SEP 30 2005**

DOT-E 14159

EXPIRATION DATE: August 31, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: ChevronTexaco  
Richmond, CA
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the one-time, one-way transportation in commerce of certain non-DOT specification cylinders containing a Division 4.2 material. 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. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.187(a) and (b) in that cylinders packaged inside the wooden boxes and metal drums exceeding the specified weight limits are not authorized, except as specified herein.
5. BASIS: This exemption is based on the application of ChevronTexaco dated February 17, 2005 submitted in accordance with § 107.105 and the public proceeding thereon.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Pyrophoric solid, inorganic, n.o.s.	4.2	UN3200	I

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Packagings prescribed are eight (8) non-DOT specification cylinders described as follows:

Vessel ID#	Material	MAWP (psig)	Outside packaging	Weight (lbs)
1058-001 (1)	Stainless Steel	2660	Wooden crate	740
1104-002 (1)	Carbon-fiber composite	4500	DOT salvage drum	772
1054-001	Aluminum	1550	Wooden crate	426
1049-001	Aluminum	965	Wooden crate	303
1048-002	Aluminum	965	Wooden crate	290
1052-002	Aluminum	965	Wooden crate	166
1052-001	Aluminum	965	Wooden crate	166
HPE-X100-000-2	Carbon Steel	1840	DOT salvage drum	940

**Note (1):** These cylinders contain material in the activated condition.

b. OPERATIONAL CONTROLS -

(1) One-time, one-way transportation is authorized from ChevronTexaco's Richmond California Research Facility to Ovonic Hydrogen Systems, LLC in Rochester Hills, MI.

(2) All packages will be securely blocked and braced prior to transportation.

(3) Transportation will be by dedicated motor vehicle under the exclusive use of ChevronTexaco.

(4) Each outside packaging must be plainly and durably marked "DOT-E 14159" as specified in § 172.301(c).

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.

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.:

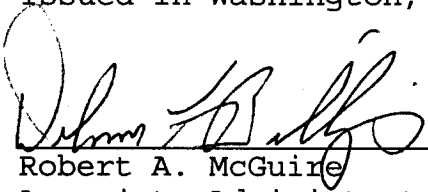
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required 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: 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.

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Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

SEP 30 2005

DATE

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: CWFreeman